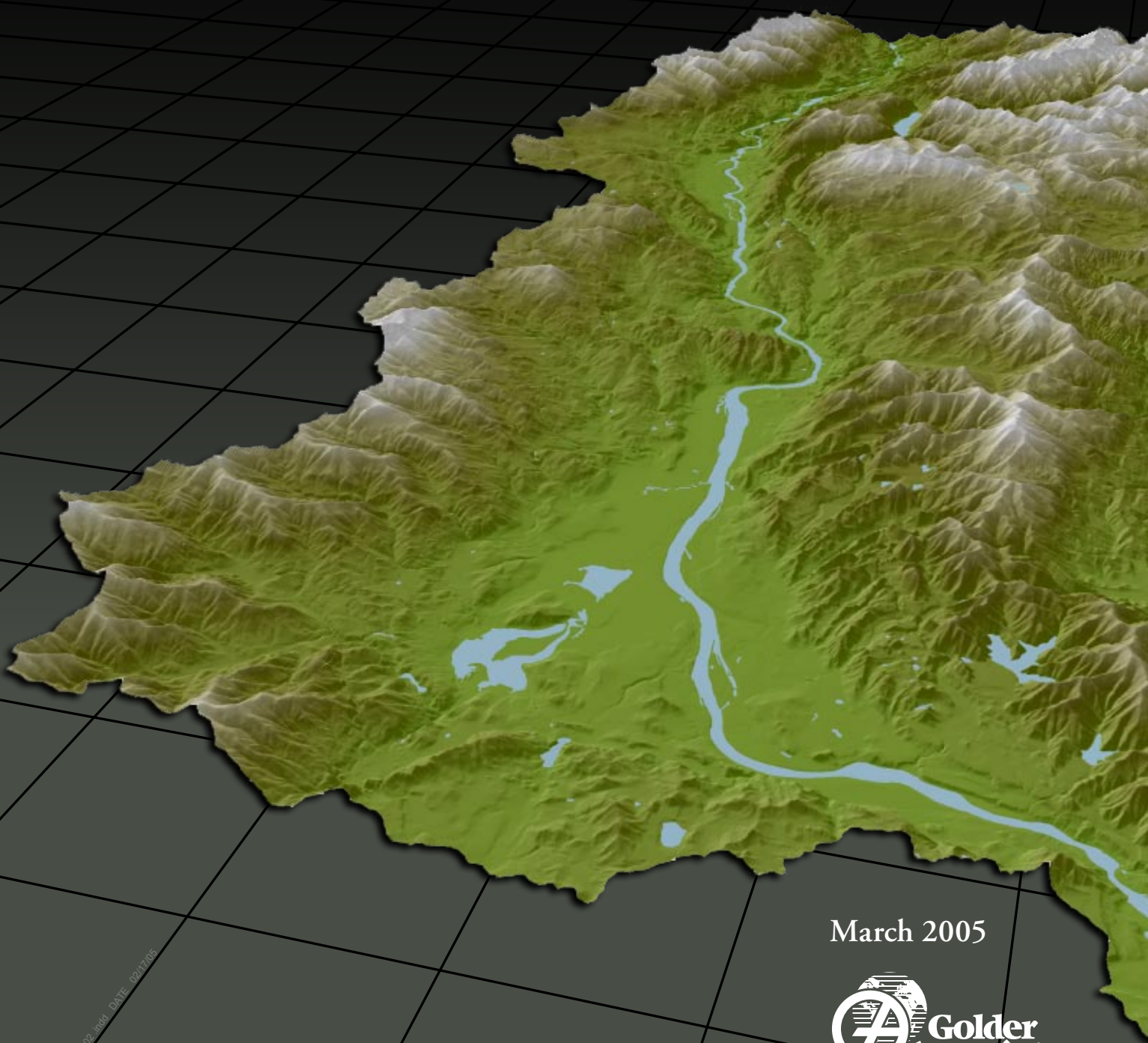


REPORT PREPARED FOR THE
WRIA 62 Watershed Planning Unit

Pend Oreille Watershed Management Plan

Mission: "To develop and implement a Watershed Plan addressing local concerns, watershed health and economic stability."



March 2005



**PEND OREILLE (WRIA 62)
WATERSHED MANAGEMENT PLAN**

Submitted to:

*Pend Oreille Conservation District
and
Pend Oreille Watershed Planning Unit*

Submitted by:

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EXECUTIVE SUMMARY

This Executive Summary, including Tables 3-1 through 3-7, is a stand-alone overview of the Pend Oreille Watershed Management Plan. This plan is intended to be a locally-supported, long-term plan, focusing on water availability, and also addressing water quality and habitat in the Pend Oreille Watershed. This plan was developed by the Planning Unit within Phase III of Watershed Planning, as defined by the Watershed Management Act (Chapter 90.82 Revised Code of Washington).

THE WRIA 62 PLANNING UNIT

The majority of the WRIA 62 Planning Unit members (listed below) live and work in the watershed. This Planning Unit formed in 1998 with a mission:

“To develop and implement a Watershed Plan addressing local concerns, watershed health and economic stability.”

Pend Oreille Conservation District (Lead Agency and non-voting member)
Pend Oreille County Planning Department (Initiating Government)
City of Newport (Initiating Government)
Pend Oreille Public Utility District #1 (Initiating Government)
Kalispel Tribe Natural Resources Division (Initiating Government)
Pend Oreille County Weed Board
Washington State Agencies
US Forest Service, Colville National Forest and Idaho Panhandle National Forest
Real Estate and Development
Agriculture / Diking Districts
Tri-State Water Quality Council (non-voting member)
Seattle City Light
Ponderay Newsprint Company (Industry)
Selkirk Conservation Alliance
Stimson Lumber (Private Timber)
Teck Cominco (Mining)
Paul Caton – Landowner
Duane Schofield – Landowner
Don and Joann LaBelle – Landowners

In accordance with RCW 90.82.010 Finding, the development of this plan ***“serves vital local interests by placing it in the hands of the people: Who have the greatest knowledge of both the resources and the aspirations of those who live and work in the watershed; and who have the greatest stake in the proper, long-term management of the resources. The development of such plans serves the state’s vital interests by ensuring the state’s water resources are used wisely, by protecting existing water rights, by protecting instream flows for fish, and by providing for the economic well-being of the state’s citizenry and communities.”***

LOCATION

The Pend Oreille Watershed, also referred to as Water Resource Inventory Area (WRIA) 62, encompasses about 1,300 square miles of the Pend Oreille River watershed within northeastern Washington State (Figure ES-1). WRIA 62 represents only about five percent of the total Pend Oreille River drainage basin. The Pend Oreille River, one of the major sub-basins of the Columbia River, drains the Clark Fork – Pend Oreille watershed which spans about 26,000 square miles and includes the fourth and fifth largest lakes in the United States: Flathead Lake in Montana and Lake Pend Oreille in Idaho.

For Watershed Planning purposes, the Planning Unit organized WRIA 62 into thirty-nine (39) hydrologic sub-basins with tributaries that drain into the Pend Oreille River mainstem in Washington or the Priest River Basin in Idaho as well as two areas alongside the Pend Oreille River mainstem in Washington (from Newport to Box Canyon Dam and from Box Canyon Dam to the Canadian border) which drain directly into the Pend Oreille River (Figure ES-1).

SUPPORTING TECHNICAL INFORMATION

This plan is supported by technical assessments prepared in Phase II of Watershed Planning by Entrix (2002), GeoEngineers (2004) and Golder Associates (2005). The assessments compile and assess existing water quantity, water quality and habitat information for the watershed. The following bullets summarize the important findings of the technical work that are relevant to this plan.

- Population growth in WRIA 62 is expected to be the greatest in the southern part of the watershed (within the Calispell, Davis, Skookum, Kent and McCloud sub-basins) and along the mainstem of the Pend Oreille River from Newport to Ione (Figure ES-1).
- The water resources that are available to support future population growth occur primarily as groundwater supply to domestic exempt wells and surface water within the Pend Oreille River (which may be withdrawn directly from the river or via wells in hydraulic continuity with the river).
- Most of the tributary streams (and groundwater in hydraulic connection with these streams) are restricted to further water rights appropriation by Surface Water Source Limitations (SWSLs) administered by the Washington State Department of Ecology and in place as a result of fisheries concerns identified by the Washington State Department of Fish and Wildlife. Currently there is insufficient streamflow data for these streams (other than Sullivan Creek and Calispell Creek) to assess the statistical validity of these restrictions. *Note that this Plan did not result in these restrictions but works towards finding out if these restrictions are scientifically defensible by recommending instream flow studies. As a priority, instream flow studies are recommended for the sub-basins that are expected to experience the greatest population growth (i.e. the Calispell, Davis, Skookum, Kent and McCloud sub-basins).*
- Groundwater quality is good with little evidence of human related impacts.

- Surface water quality in WRIA 62 is generally good. The primary water quality concerns are temperature (the most common water quality impairment) dissolved oxygen, pH, fecal coliform bacteria, total dissolved gas, exotic aquatic species, sediment and several pesticides (in the Pend Oreille River). In accordance with the Clean Water Act, Ecology is required to develop Total Maximum Daily Loads (TMDLs). Currently, Ecology is developing total dissolved gas (related to dam operations) and temperature TMDLs for the mainstem of the Pend Oreille River and is in the process of assessing a number of pesticide listings, also for the mainstem of the Pend Oreille River. Temperature and fecal coliform concerns on Colville National Forest Land are also being addressed through TMDLs.
- There are numerous habitat restoration activities taking place in the watershed. Many of these efforts share a similar geographic area of interest, focal species, participatory agencies /individuals and planning timelines.

PLAN ISSUES AND ACTIONS

Following on from the technical work, the Planning Unit identified water resource issues that they felt needed to be addressed within this Plan. The Planning Unit worked by consensus of the members to develop the issues, framed as problem statements. The Planning Unit then identified and developed management actions to address these challenges. The issues are ordered in this plan in categories with corresponding codes: water quantity (QUANT); water quality (WQUAL); habitat (H); water rights (WR); growth and land use (GR&LU); economic impacts and community involvement (EC); and, implementation (IMP). The issues, actions and the entities responsible for implementation of the actions are the heart of this plan and are listed in the following tables:

- Table 3-1: Water Quantity
- Table 3-2: Water Quality
- Table 3-3: Habitat
- Table 3-4: Water Rights
- Table 3-5: Growth and Land Use
- Table 3-6: Economic Impacts and Community Involvement
- Table 3-7: Implementation

PLAN OBLIGATIONS

In accordance with the Watershed Planning Act (Chapter 90.82 RCW), Washington State and Pend Oreille County are obligated to implement plan actions. Other planning participants, including tribes, cities, towns and water providers, are not legally obligated under the Act but by approval of the Plan assume responsibility for implementing prescribed actions. Early in this planning process, the Planning Unit acknowledged that there would be finite funding

available for implementation of the actions and that many of the entities that voluntarily agreed to implement actions may not have sufficient funding to do so during the implementation Phase (Phase IV of Watershed Planning). As a result, the Planning Unit agreed that actions recommended for implementation would not pose a funding obligation on the responsible party and that implementation of the actions would be contingent upon available resources as well as each entity's legal obligations.

IMPLEMENTATION

The actions prescribed in this plan will be implemented during Phase IV of Watershed Planning (dependant upon available funding and resources). Phase IV of Watershed Planning commences when this plan is approved by the Planning Unit and the Pend Oreille County Commissioners. It is intended that this plan will be a long-term planning document and will continue to be implemented into the future after Phase IV and as resources allow.

THE IMPLEMENTING BODY

The Planning Unit recommends that an Implementing Body be formed to coordinate and prioritize implementation of the Plan actions. In order to be eligible for implementation funds, the Implementing Body must continue to be representative of the community. The Planning Unit recommends that the current Memorandum of Agreement between the Watershed Planning Initiating Governments (i.e. Pend Oreille County, the Pend Oreille Public Utility District No. 1, the City of Newport and the Kalispel Tribe), which covers Phase I, II and III of Watershed Planning, be amended to include Phase IV. The Planning Unit's vision is that willing members of the Planning Unit and others within the community will volunteer to make up the Implementing Body so that there is strong continuity between the Planning and Implementation Phases.

A LIVING PLAN

The Planning Unit sees this document as a living plan that will be revised and updated by the Implementing Body as needed to address current concerns. It is anticipated that the Implementing Body will prioritize actions for implementation based on the importance of the issues to be addressed, community support, a high likelihood of success and cost-sharing opportunities associated with implementation of the action.

HOW THIS PLAN WILL BENEFIT THE COMMUNITY

The core principal embodied in Watershed Planning is *“that state agencies must work cooperatively with local citizens in a process of planning for future uses of water by giving local citizens and the governments closest to them the ability to determine the management of water in the WRIA”* (RCW 90.82.040 Findings-2003).

Examples of how this plan and supporting technical information will benefit the WRIA 62 community include:

- Providing information on where water resources are available for future development and the processes to develop these resources to support future growth in WRIA 62.
- Being proactive with instream flow studies. Ecology is planning to conduct these studies at some time in the future. This plan obligates Ecology and WDFW to assist the Implementing Body to conduct instream flow studies and to involve the Implementing Body in any instream flow studies that are conducted by Ecology in WRIA 62.
- Recommendations to provide educational materials and technical assistance to residents and landowners to address milfoil, river bank erosion and livestock operations.
- Providing information on water rights application, water banking and other processes to support water rights issues.
- Recommending that concerns about flooding in Pend Oreille County are voiced at local and regional flood control forums.

Water Quantity - Issues, Actions and Responsible Parties

CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
QUANT1: There is a need to characterize groundwater resources and hydraulic continuity between groundwater and surface water at a local scale in areas where growth and water supply are a potential concern			RCW 90.82.070(1)(b)&(f).
QUANT1-1	Explore the need to, and if necessary, write grants or hire a grant writer to obtain funding to support technical studies to evaluate water resources and hydraulic continuity between surface water and groundwater at a local scale in areas where growth and water supply are a potential concern. These areas have been identified as the Calispell, Davis, Skookum, Kent and McCloud sub-basins and the mainstem of the Pend Oreille River from the Idaho state-line north to Ione.	Implementing body	
QUANT2a: To effectively address competing water needs now and in the future, instream flow needs for the Pend Oreille River mainstem and the tributaries to the Pend Oreille River and Priest River Basin in WRIA 62 should be more fully understood in areas where water demand is expected to increase.			RCW 90.82.010; RCW 90.82.040 Notes: Finding-Intent-2001 c237; RCW 90.82.070(1)(b),(e),(g)&(2); RCW 90.82.080.
QUANT2a-1	Evaluate the need to conduct instream flow studies and where and how to conduct these studies to address competing water needs in WRIA 62. Priority locations for instream flow setting are the Calispell, Davis, Skookum, Kent and McCloud sub-basins.	Implementing body	
QUANT2a-2	Develop an instream flow presentation for County Commissioners and other interested stakeholder groups.	Implementing body	
QUANT2a-3	Support establishment and continuation of stream gaging to improve understanding of flows within the tributaries to the Pend Oreille River that occur within the sub-basins that are predicted to experience the greatest water demand in the future (i.e. the Calispell, Davis, Skookum, Kent and McCloud sub-basins).	Implementing body, Kalispel Tribe	

Water Quantity - Issues, Actions and Responsible Parties

CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
QUANT2b: There is a need to ensure that the Watershed Planning Implementing Body is involved in instream flow studies, study recommendations and any instream flow rule-making in WRIA 62.			RCW 90.82.010; RCW 90.82.040 Notes: Finding-Intent-2001 c237; RCW 90.82.070(1)(b),(e),(g)&(2); RCW 90.82.080.
QUANT2b-1	<p>Obligate Ecology and WDFW to provide technical assistance to the implementing body during Phase IV Watershed Planning to complete Step A (Scope of Work), Step B (Instream Flow Assessment - field work, analysis and reporting) and Step C (Negotiation of instream flows in a collaborative manner) for instream flows in WRIA 62 (following the collaborative manner described in RCW 90.82.080).</p> <p><i>Note:</i> <i>Ecology will not be obligated to provide technical assistance that involves actual field work, analysis or reporting. Ecology does agree to be obligated to provide technical assistance with the review of documents (scopes of work, analyses, reports etc.) as well as to collaborate with the Implementing Body during the negotiation of flow recommendations. Ecology also clarified that it cannot take on the obligation to involve the WRIA 62 planning entity in instream flow studies that may occur after Phase IV Implementation. It will be the responsibility of the Watershed Planning Implementing Body to make recommendations to Ecology at the end of the Phase IV if this situation is anticipated.</i> <i>WDFW agree to be obligated to provide technical assistance to the Watershed Planning Implementing Body for Steps A, B and C as priorities, funding and staff resources allow.</i></p>	Implementing body, WDFW, Ecology	
QUANT2b-2	Recommend that the Legislature provide Ecology with additional funds for instream flow work for the Watershed Planning Implementing Body to complete instream flow studies in the collaborative manner described in RCW 90.82.080 during Phase IV Watershed Planning.	WA State Legislature, Ecology, Implementing Body	
QUANT2b-3	The Watershed Planning Implementing Body will pursue funding to supplement implementation funds and will conduct instream flow studies in WRIA 62 at locations prioritized by the watershed planning implementing body with technical assistance from agencies (e.g., Ecology, WDFW) and qualified consultants.	Implementing body, WDFW, Ecology	
QUANT2b-4	Recommend that Ecology involve the Implementing Body with scoping instream flow studies if Ecology starts instream flow work in WRIA 62 during Phase IV of Watershed Planning. If Ecology starts instream flow work in WRIA 62 after Phase IV, recommend that Ecology involve the WRIA 62 watershed planning entity if it is still functioning.	Implementing body, Ecology	
QUANT2b-5	After minimum instream flow rule making for the Pend Oreille River mainstem, the Watershed Planning Unit recommends that Ecology consider petitioning the Washington State Governor to write a letter to Congress to raise the minimum discharge from Albeni Falls Dam from 4,000 cfs to be equivalent to the minimum instream flow rule.	Ecology	

Water Quantity - Issues, Actions and Responsible Parties

CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
QUANT3: Flood control.			RCW 90.82.040 Notes: Finding-Intent-2001 c237; RCW 90.82.070(3).
QUANT3-1	Voice concerns regarding the impacts of flooding in Pend Oreille County and work with groups that influence the Pend Oreille River flow rates and water levels. These groups may include but are not limited to the Army Corps of Engineers, Northwest Power Conservation Council, Bonneville Power Administration, Bureau of Reclamation, Seattle City Light, Pend Oreille Public Utility District, North Idaho Lakes Commission, Idaho Fish & Game, Pend Oreille County Diking Districts Nos. 1, 2 and 3, and FEMA.	Implementing body	
QUANT3-2	Voice concerns regarding the impacts of flooding in Pend Oreille County to Washington's representative on the Technical Management Team (TMT) that addresses Columbia River dam and reservoir operations.	Implementing body	
QUANT3-3	Identify what changes to project operations could be implemented to improve conditions regarding flooding in Pend Oreille county.	Implementing body	
QUANT4: There is a need to promote water conservation, reclamation and reuse strategies in WRIA 62.			RCW 90.82.010; RCW 90.82.040 Notes: Finding-Intent-2001 c237; RCW 90.82.070(2).
QUANT4-1	Create a sub-committee to support on-going efforts and coordinate future water conservation, reclamation and reuse efforts in WRIA 62.	Implementing body	
QUANT4-2	Identify and write grants to support development of water conservation, reclamation and reuse strategies that are relevant to WRIA (including water conservation, reclamation and reuse strategies applicable to municipal / domestic water use, commercial and industrial water use and agricultural water use).	Implementing body	
QUANT4-3	Identify and write grants to support development, presentation and distribution of public education materials to promote water conservation, reclamation and reuse strategies that are relevant to WRIA 62.	Implementing body	
QUANT4-4	Send information to the WRIA 62 population to arrive at the beginning of July every year reminding people to conserve water over the drier summer months.	Pend Oreille Conservation District, Pend Oreille Public Utility District	
QUANT4-5	Place notices in local papers, newsletters or on the radio reminding people to conserve water over the summer.	Pend Oreille Conservation District, Pend Oreille Public Utility District, City of Newport	

Water Quality - Issues, Actions and Responsible Parties

CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
WQUAL1: There is a need to develop a protocol to coordinate and ensure that WRIA 62 water quality data is provided for input into the JSAP database			RCW 90.82.030(1)&(3); RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.090(1)&(7).
WQUAL1-1	Enter WRIA 62 water quality data into the JSAP database, maintain the JSAP database and ensure data is available via the internet.	Kalispel Tribe	
WQUAL1-2	Identify committed entities to submit water quality data on a regular basis to the Kalispel Tribe for incorporation into the JSAP database.	Implementing body	
WQUAL1-3	Define a WRIA 62 monitoring and reporting protocol and coordinate data to be submitted to the Kalispel Tribe for incorporation into the JSAP database.	Implementing body	
WQUAL1-4	Keep up to date with water quality monitoring and protection activities within WRIA 62.	Implementing body	
WQUAL2: Eurasian watermilfoil and other aquatic nuisance weeds pose a threat to native habitat and public safety in the Pend Oreille watershed.			RCW 90.82.090(2).
WQUAL2-1	Convene aquatic plant management group, with Pend Oreille County Weed Board as the lead, to identify and agree upon actions to reduce Eurasian watermilfoil and other aquatic nuisance weeds in WRIA 62.	Pend Oreille County Weed Board, Implementing body	
WQUAL2-2	Establish and implement an aquatic nuisance weed public outreach and education program.	Pend Oreille County Weed Board, Pend Oreille County Public Works	
WQUAL3a: There is a need to participate in current and future TMDL processes and provide input on TMDLs for tributary streams that originate within WRIA 62.			RCW 90.82.005; RCW 90.82.090(4)&(6).
WQUAL3a-1	Participate (interact, provide input to and coordinate with Ecology) in TMDL processes on tributary streams within WRIA 62.	Implementing body	
WQUAL3a-2	Pursue funding for implementation strategies that come out of TMDL studies for tributary streams.	Implementing body	

Water Quality - Issues, Actions and Responsible Parties

CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
WQUAL3b: There is a need to participate in the TMDL processes and provide input on TMDLs for the mainstem Pend Oreille River.			RCW 90.82.005; RCW 90.82.090(4)&(6).
WQUAL3b-1	Provide input into 303(d) listings in applicable waters of Washington, the Kalispel Tribe reservation and, where appropriate, Idaho.	Implementing body	
WQUAL3b-2	Coordinate with agencies and stakeholders to participate and provide input to TMDL development and implementation for Pend Oreille River in Washington, the Kalispel Tribe reservation and, where appropriate, Idaho.	Implementing body	
WQUAL3b-3	Strongly recommend that Ecology invite the Idaho Department of Environmental Quality (IDEQ) to develop a Memorandum of Understanding to address development and implementation of appropriate TMDLs for the Pend Oreille River in Washington and Idaho.	Ecology	
WQUAL4a: The natural quality of drinking water provided to some communities does not meet Washington State secondary drinking water standards.			RCW 90.82.048(3); RCW 90.82.070(2); RCW 90.82.090(1)&(2).
WQUAL4a-1	Support WDOH's on-going efforts to improve drinking water quality where needed in WRIA 62.	Implementing body, WDOH, NETC Health District	
WQUAL4a-2	Encourage WDOH to communicate with the Watershed Planning Implementing Body with respect to education and funding opportunities to assist WRIA 62 water systems / communities improve drinking water quality.	WDOH	
WQUAL4b: There is a need to review wellhead protection plans throughout WRIA 62 and improve these plans as needed.			RCW 90.82.010; RCW 90.82.040 Notes: Finding-Intent-2001 c 237; RCW 90.82.048(3); RCW 90.82.070(2).
WQUAL4b-1	Support the Northeast Tri-County Health District and WDOH to conduct sanitary surveys of Group A and B systems in WRIA 62.	Implementing body, WDOH, NETC Health District	
WQUAL4b-2	Recommend that Pend Oreille County consider including Group A and Group B public water system wellheads in critical areas ordinance as the ordinance is updated.	Implementing body, Pend Oreille County.	
WQUAL4b-3	Coordinate with WDOH and the Northeast Tri-County Health District to identify water systems that have not developed and/or are not implementing wellhead protection plans. Encourage these systems to obtain technical assistance to develop and/or implement a wellhead protection plan.	Implementing body, WDOH, NETC Health District	

Water Quality - Issues, Actions and Responsible Parties

CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
WQUAL5: The 303(d) list identifies impaired waterbodies and requires Washington State to work towards cleaning up impaired waterbodies and establishing TMDLs. However there is a need to identify an appropriate process to protect unimpaired waters in WRIA 62 that meet or exceed applicable water quality standards.			RCW 90.82.005; RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.090(2)&(7).
WQUAL5-1	Review Ecology's current water quality assessment and identify waterbodies within WRIA 62 to implement: a. Projects to review and collect water quality data on WRIA 62 streams where data is lacking or needed. b. Projects to identify and assess point and non-point sources of impairments, develop and implement restoration / mitigation plans and monitor effectiveness of clean up efforts. c. Projects to protect unimpaired / healthy streams.	Implementing body	
WQUAL5-2	Seek funding for projects that promote the protection and improvement of water quality, including: a. Projects to review and collect water quality data on WRIA 62 streams where data is lacking or needed. b. Projects to identify and assess point and non-point sources of impairments, develop and implement restoration / mitigation plans and monitor effectiveness of clean up efforts. c. Projects to protect unimpaired / healthy streams.	Implementing body	
WQUAL5-3	Identify funding to continue operation of pressure transducers and field water quality monitoring within Calispell, Davis, Skookum and Kent sub-basins. The Kalispel Tribe will take on the responsibility of maintaining the seven stream gages (installed during Phase II) and downloading flow information for the Calispell, Davis, Skookum and Kent sub-basins.	Implementing body, Kalispel Tribe	
WQUAL5-4	Implement the water quality monitoring plan developed in the Phase 2 Level 2 report. The recommendations of this plan are: 1. Coordinated TMDL development and implementation in WA and ID; 2. Conduct biological and baseline monitoring in WRIA 62 sub-basins that drain from WA into ID; 3. Conduct temperature studies on the Pend Oreille River between Box Canyon and Canada; 4. Develop water quality datasets that are comparable between WRIA 62 waterbodies; 5. Conduct water quality monitoring in sub-basins where population growth is predicted; 6. Develop and implement a stormwater program for urban areas; 7. Recommend Ecology upgrade the Metaline Falls monitoring site to a core monitoring location; 8. Increase the use of coordinated and comparable biological monitoring; 9. Require the use of water quality monitoring plans, QAPPs and comparable protocols; 10. Develop a WRIA 62 data management system; 11. Install freeze protection on automated equipment in WRIA 62 tributaries.	Implementing body, Ecology	
WQUAL5-5	Consider any regulations that may help reduce the impacts of population growth on water quality. For example, recommend that the County consider aquifer recharge areas in Critical Areas Ordinance.	Pend Oreille County	

Habitat - Issues, Actions and Responsible Parties

CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
H1: There is a need to continue coordination of aquatic habitat programs within WRIA 62.			RCW 90.82.030(3); RCW 90.82.100.
H1-1	Coordinate with the Pend Oreille Salmonid Recovery Team and other habitat programs.	Implementing body	
H2: Invasion of noxious terrestrial weeds has the potential to degrade water quality and terrestrial, riparian and aquatic habitats by increasing water yield runoff and preventing the establishment of native vegetation.			RCW 90.82.090(2).
H2-1	Develop and distribute public education materials (e.g., signs, leaflets, fliers, BMPs) to educate residents, developers and construction workers on how they can prevent the spread of noxious terrestrial weeds.	Pend Oreille County Weed Board	
H2-2	Coordinate with interested landowners and managers to survey lands on a regular basis (at 4-year intervals) and use management tools to remove small amounts of noxious weeds found at the time of the surveys.	Pend Oreille County Weed Board	
H2-3	Develop management implementation plans (including prioritization of lands) with interested landowners for larger noxious weed populations.	Pend Oreille County Weed Board	
H2-4	Assist the Pend Oreille County Weed Board to identify support (funding, in-kind and volunteer services) to help with implementation of the Pend Oreille County biocontrol program.	Implementing body	
H3a: River bank erosion along the mainstem of the Pend Oreille River is resulting in degraded riparian habitat and water quality. The causes of erosion need to be confirmed and mitigated.			RCW 90.82.090(2); RCW 90.82.110.
H3a-1	Develop a scope of work for a technical study to identify the causes of river bank erosion along the Pend Oreille River in WRIA 62.	Implementing body	
H3a-2	Develop and implement a public education program to improve understanding of bank erosion along the mainstem of the Pend Oreille River.	Implementing body	
H3a-3	Compile reasonable bank stabilization strategies for landowners along the mainstem of the Pend Oreille River and provide education and assistance to landowners to implement these strategies.	Implementing body	
H3a-4	Review shoreline plans and comprehensive plans for bank erosion mitigation strategies and make recommendations to local government on bank stabilization strategies for inclusion within Shoreline Master Programs and the Pend Oreille County Comprehensive Plan.	Implementing body	

Habitat - Issues, Actions and Responsible Parties

CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
H3b: Stream bank erosion in WRIA 62 along the tributaries to the Pend Oreille River is resulting in degraded riparian habitat and water quality. The causes of stream bank erosion need to be confirmed and mitigated.			RCW 90.82.090(2); RCW 90.82.110.
H3b-1	Scope a technical study to identify the causes of stream bank erosion along the tributaries to the Pend Oreille River in WRIA 62.	Implementing body	
H3b-2	Develop and implement a public education program to improve understanding of bank erosion along the tributaries to the Pend Oreille River.	Implementing body	
H3b-3	Compile reasonable bank stabilization strategies for landowners along the tributaries to the Pend Oreille River and provide education and assistance to landowners to implement these strategies.	Implementing body	
H3b-4	Review shoreline plans and comprehensive plans for bank erosion mitigation strategies and make recommendations to local government on bank stabilization strategies for inclusion within Shoreline Master Programs and the Pend Oreille County Comprehensive Plan.	Implementing body	

Water Rights - Issues, Actions and Responsible Parties

CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
WR1: There is currently limited opportunity for the local community to provide recommendations to the Department of Ecology in the processing of water rights transfers, changes, applications and relinquishments.			RCW 90.82.005; RCW 90.82.010; RCW 90.82.030(1); RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.040 Notes: Finding-Intent-2001 c 237; RCW 90.82.070(2)&(3).
WR1-1	Coordinate with WRIA 55 (the Little Spokane River watershed) and evaluate the future need for a regional Spokane / Pend Oreille County Water Conservancy Board and / or Water Trust / Bank.	Implementing body	
WR1-2	Recommend that the Legislature allocate funds to provide financial incentives to those who wish to relinquish unused allocated water	WA State Legislature	
WR1-3	Evaluate the need to recommend to the Legislature a change in the "use-it or lose-it" time frame (Chapter 90.14 RCW) for water rights from 5 years to 20 years. This would involve a statute change to Chapter 90.14 RCW.	Implementing body	
WR1-4	Recommend that the Legislature allow the unused portions of irrigation water rights to be banked. This would be a conservation incentive. This would involve a statute change in Chapter 90.14 RCW.	WA State Legislature	
WR2: When future minimum instream flows are established, any new water rights that are junior to the minimum instream flows may be restricted when minimum instream flows are not met. There is a need to quantify water available for future allocation and/or reservation.			RCW 90.82.005; RCW 90.82.010; RCW 90.82.030(1); RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.040 Notes: Finding-Intent-2001 c 237; RCW 90.82.070(1)(g)&(2); RCW 90.82.120.
WR2-1	Explore the concept of a water reservation for future growth (including domestic exempt well use, irrigation, industrial, commercial and municipal water use) in the WRIA 62 sub-basins that are expected to experience the highest population growth (Calispell, Davis, Skookum, Kent and McCloud) and where other water resources may not be available (i.e. outside water purveyor service areas).	Implementing body	
WR2-2	Recommend that the Legislature provide for in-house domestic and normal stock water withdrawal from domestic exempt wells (withdrawal less than 5,000 gallons per day as defined in RCW 90.44.050) when water use is restricted as a result of instream flow regulation. <i>Note: "In-house domestic use" means use of water for drinking, cleaning, sanitation, and other uses in a residence, excluding irrigation of lawn and garden.</i>	WA State Legislature	

Growth and Landuse Planning - Issues, Actions and Responsible Parties

CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
GR&LU1: There is a need to integrate information on current and projected water supply and demand with land use.			RCW 90.82.005; RCW 90.82.010; RCW 90.82.030(1); RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.040 Notes: Finding-Intent-2001 c 237; RCW 90.82.048(3); RCW 90.82.070(2).
GR&LU1-1	Watershed Planning Implementing Body to become involved with the County Planning Commission and comprehensive planning processes.	Implementing body	
GR&LU1-2	Assess available water supply in the areas expected to experience the most population growth (i.e. the Calispell, Davis, Skookum, Kent and McCloud sub-basins). Note that improved understanding of streamflows in WRIA 62 is needed to determine water availability within these sub-basins.	Implementing body	
GR&LU1-3	Assist Pend Oreille County in addressing Critical Areas Ordinance and updating the shorelines master program.	Implementing body	
GR&LU1-4	Integrate findings from the Phase II technical assessments and water needs assessment (see GR&LU 1-2) into local water system plans and county, city and town land use plans and shoreline master programs.	Implementing body, Pend Oreille County	
GR&LU1-5	Consider water supply information when updating land use designations to ensure consistency between the Comprehensive Plan land use designations and the WRIA 62 Watershed Management Plan technical findings and recommendations.	Pend Oreille County	
GR&LU1-6	Require proof of water availability from the applicant prior to amending Urban Growth Area (UGA) boundaries. The proposal for expansion should include documentation of the ability of the city / town / development (if it is to be self-served) to provide adequate water. Burden of proof is on the applicant. Domestic wells of 5,000 gallons per day or less serving one household are not included in this burden of proof.	Pend Oreille County	
GR&LU1-7	Coordinate sub-basin specific water supply needs with alternative water supply options including reuse, reclamation, and conservation (e.g., development of a regional water supply using water withdrawn from the Pend Oreille River and treated).	Implementing body	

Growth and Landuse Planning - Issues, Actions and Responsible Parties

CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
GR&LU2a: There is a need to identify and assess locations and associated management practices of livestock operations that utilize riparian areas.			RCW 90.82.010; RCW 90.82.090(2); RCW 90.82.110.
GR&LU2a-1	Coordinate with local land management agencies, agricultural groups, landowners, etc., to identify individuals or groups that utilize riparian areas for livestock operations.	Pend Oreille Conservation District, NRCS	
GR&LU2a-2	Pursue funding to conduct research to identify and assess livestock management methods in riparian areas utilized for livestock operations.	Implementing body, Pend Oreille Conservation District, NRCS	
GR&LU2a-3	Support utilizing GIS to develop map layers which include livestock ownerships, locations and management methods within riparian areas.	Implementing body, Pend Oreille Conservation District, NRCS	
GR&LU2a-4	Prepare an action plan involving all entities that are involved with grazing in riparian areas.	Pend Oreille Conservation District, NRCS	
GR&LU2b: There is a continued need for funding of education and program implementation related to livestock management in riparian areas.			RCW 90.82.010; RCW 90.82.090(2); RCW 90.82.110.
GR&LU2b-1	Develop and distribute outreach and educational materials related to livestock management in riparian areas.	Pend Oreille Conservation District, NRCS	
GR&LU2b-2	Promote and assist landowners in applying to cost-share programs such as the WDFW Landowner Incentive Program (LIP), NRCS Environmental Quality Incentive Program (EQUIP), NRCS Wildlife Habitat Incentive Program (WHIP), NRCS Wetland Reserve Program (WRP), USDA Sustainable Agriculture Research and Education (SARE) Program Producer Grant Program, USFWS Partners for Fish and Wildlife and Private Stewardship Grants, USDA Farm Service Administration Conservation Reserve Program (CRP), Ecology's 319 funds (for non-point source water quality issues), and other relevant cost share programs available for livestock management in riparian areas.	Pend Oreille Conservation District, NRCS	
GR&LU2b-3	Promote land management technical assistance programs such as the NRCS Conservation of Private Grazing Land Program and the Grazing Lands Conservation Initiative, as well as technical assistance through the USFWS, USFS, WDFW, KNRD, BLM and Pend Oreille Conservation District.	Pend Oreille Conservation District, NRCS	
GR&LU2b-4	Coordinate with the Pend Oreille Salmonid Recovery Team (Chapter 77.85 RCW) on education grants to educate private landowners on the benefits of livestock management in riparian areas and grants available to fund related projects.	Pend Oreille Conservation District, NRCS	

Growth and Landuse Planning - Issues, Actions and Responsible Parties

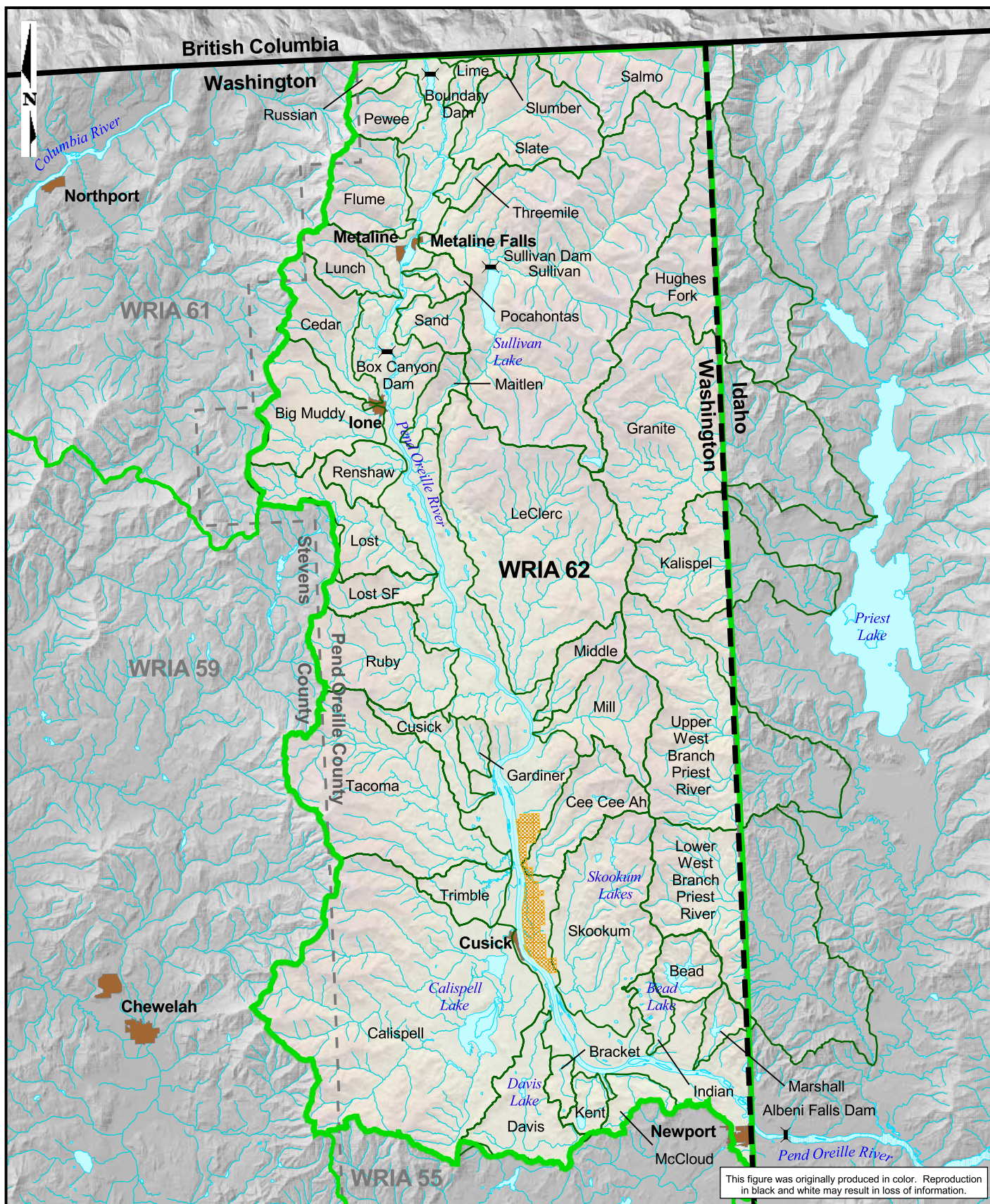
CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
GR&LU3: Road building and improper maintenance can negatively impact water quality and aquatic habitat.			RCW 90.82.005; RCW 90.82.090(2)&(7); RCW 90.82.110; RCW 90.82.120(3).
GR&LU3-1	Support on-going and future programs / multiple entity projects on lands in WRIA 62 to identify and address road maintenance problems.	Implementing body	
GR&LU3-2	Research and follow the pilot study that Ecology is working on with WDOT and WDFW, currently referred to as the Transportation Permit Efficiency and Accountability Committee (TPEAC). If this approach appears appropriate, work with Ecology to apply this process to State and County roads in WRIA 62.	Implementing body, Ecology, WDOT, WDFW	
GR&LU3-3	Obtain assistance and guidance as needed from technical agencies (Ecology, WDOT, DNR, WDFW, Pend Oreille County) to minimize impacts of road building and improper maintenance in WRIA 62.	Implementing body, Ecology, WDOT, DNR, WDFW, Pend Oreille County	
GR&LU3-4	Recommend Ecology provide additional on-the-ground support to ensure BMPs (for road building and maintenance) are being implemented in WRIA 62 for projects less than 5 acres. This would involve Ecology staff involvement at the planning and implementation stages of a road building / maintenance project.	Ecology	
GR&LU3-5	Become involved in revisions to the Colville National Forest Plan.	Implementing body	
GR&LU4: The Pend Oreille County Shoreline Master Program needs to be updated.			RCW 90.82.005; RCW 90.82.120(1)&(2).
GR&LU4-1	Recommend that Pend Oreille County, with assistance from the Watershed Planning Implementing Body, apply for funding from Ecology and other outside sources to update the Pend Oreille County Shoreline Master Program prior to the 2012 Ecology deadline.	Pend Oreille County, Implementing body	

Economic Impacts and Community Involvement - Issues, Actions and Responsible Parties

CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
EC1a: There are insufficient resources to support implementation of all the actions in this Plan.			RCW 90.82.010.
EC1a-1	Employ a grant writer to help obtain additional funds for watershed planning implementation.	Implementing body	
EC1a-2	Recommend that the Legislature provide additional funds to be used in Phase IV of Watershed Planning to help fund proposed actions.	WA State Legislature	
EC1a-3	Encourage local agencies / volunteers to cover the 10% match required for use of implementation funds.	Implementing body	
EC1a-4	Recommend that the Legislature modify Chapter 90.82 RCW to make supplemental funds (available in Phase II for water quality, storage and instream flow) available in Phase IV for water quality, storage and instream flow studies.	WA State Legislature	
EC1b: There is a need to identify and inform local communities about resources to assist local communities in complying with water regulation.			RCW 90.82.010.
EC1b-1	Identify water-related laws and regulations and develop outreach materials and an outreach mechanism to educate the public.	Implementing body	
EC1b-2	Convene a sub-committee as needed to: a. Identify state rules that the WRIA 62 communities could be exempt from due to size and limited economic resources; and, b. Develop specific requests for the regulatory authorities to supply economic impact information for distribution to local communities.	Implementing body	
EC1b-3	Encourage WRIA 62 agencies to use local resources where applicable.	Implementing body	
EC2: There is a need to ensure meaningful community input to water regulations.			RCW 90.82.005; RCW 90.82.010; 90.82.030(1).
EC2-1	Keep the list of processes where local input is required, encouraged or allowed up to date and provide this information to WRIA 62 residents (e.g., a regular "What's Coming" column in the local paper).	Implementing body	
EC2-2	Develop and implement mechanisms to improve local input to water related policy and regulations.	Implementing body	

Implementation - Issues, Actions and Responsible Parties

CODE	ISSUE / ACTION	OBLIGATED OR RESPONSIBLE ENTITY	JUSTIFYING STATUTE(S)
	1. Management entities, roles and action plans are not coordinated. 2. Education needs to support watershed management objectives are unknown. 3. Funding opportunities to support watershed management objectives are unknown. 4. There is no formal mechanism to modify and update the Phase III Plan. 5. The Legislature currently prohibits spending of supplemental assessment funds during implementation.		RCW 90.82.043; RCW 90.82.048; RCW 90.82.110; RCW 90.82.120(2).
IMP-1	Designate a locally based Implementing Body to coordinate implementation of the Watershed Management Plan consistent with Chapter 90.82 RCW.	Implementing body	
IMP-2	Prioritize educational needs, projects, policies and management strategies for funding and implementation.	Implementing body	
IMP-3	Continue to identify alternate funding sources (alternate to watershed planning funds).	Implementing body	
IMP-4	Request that the State Legislature allow Supplemental Phase II Watershed Planning funds to be applied for and spent during Phase IV implementation.	WA State Legislature, Implementing body	
IMP-5	Consider implementation funding for grant writers.	Implementing body	
IMP-6	Develop recommendations (such as cooperative agreements) for formalizing obligations on the entities identified as responsible for Plan actions.	Implementing body	
IMP-7	Develop formal mechanism to update and modify the Phase III Plan without having to go through a formal County hearing.	Implementing body	



LEGEND

- US - Canada Border
- State Boundaries
- Urban Areas
- WRIA Boundary
- Waterbodies
- County Boundaries
- Kalispel Reservation Sub-Basin Boundaries
- Dams

0 7
Scale 1" = 7 Miles
Map Projection:
Washington State Plane North
NAD83 Feet
Source: WDOE, WDOT,
WAGDA, USGS, BC MSRM
Kalispel Tribe

Pend Oreille Watershed Overview

Drawn: KAV

Revision: 1

Date: Jan 7, 2004

Figure: **ES-1**

CITIZENS' SUMMARY

This section was written by Planning Unit members who are also residents and/or landowners in WRIA 62 and is dedicated to summarizing their main concerns. In an attempt to understand local concerns, citizens were given ample opportunity to submit their thoughts via several means including questionnaires and public meetings. In addition, most of these thoughts and/or concerns were openly discussed during the planning process and appear throughout the body of the watershed plan.

Citizen Input

Local citizen input is essential to the success of watershed planning. Residents have first-hand knowledge of the issues involved with the watershed in which they live. These are also the people directly affected by the decisions of government agencies responsible for managing watershed resources. In light of this, the Watershed Planning Act in Washington State was passed to establish a collaborative process between local citizens, interest groups, Tribes, and government agencies to identify and solve water-related issues. Unfortunately, local citizens often perceive their concerns as being unimportant to government personnel compared to agency objectives. Whether or not agency objectives are valued more than citizen concerns, the perception of unimportance often negatively affects citizen attitudes, thus reducing the effectiveness of the watershed planning process.

Protecting the Resource

The water resources of Pend Oreille County are relatively clean and unimpacted compared to other watersheds in the state. The Pend Oreille River, lakes and streams also provide residents with a seemingly infinite supply of water throughout the year. However there are several factors such as flooding, erosion, development, and climate change that could adversely impact water quantity and water quality without proper planning. Improper or nonexistent planning has created critical water resource issues for numerous watersheds throughout the world at irrecoverable expense. Taking the opportunity and responsibility, now, to make positive planning choices will help maintain the quality and quantity of water resources in Pend Oreille County.

Flooding

Flooding is a seasonal threat to the residents of Pend Oreille County, mostly occurring in the spring and primarily along the mainstem of the Pend Oreille River. Calispell Valley farmers talk of two flooding threats occurring during the spring of the year. In March and April the local runoff within the Calispell basin occasionally causes localized flooding. As soon as the local threat subsides a secondary and more ominous runoff comes from the headwaters of the watershed including the Clark Fork, Flathead and Priest river drainages. Runoff from all of these tributaries combines to flow down the Pend Oreille River in May and June. The intensity of each of these threats is largely dependent on snowpack and weather. A rain on snow event can exacerbate the effects of the spring runoff.

Erosion

Associated with flooding on the mainstem of the Pend Oreille River, is the threat of erosion caused by the high flows during peak runoff periods. Some erosion is natural, but major

fluctuations, including rapid reductions in river water levels, may cause mass wasting of riverbanks due to supersaturation of the clay and sandy soils which exacerbates sloughing of the riverbanks. The soils in the basin are highly erodible and erosion is a major concern to the citizens of Pend Oreille County.

Exempt Wells

Future population growth in Pend Oreille County is certain to impact the availability of water for local resident use. The Department of Ecology, anticipating this growth, is committed to establishing minimum instream flows for tributaries to the Pend Oreille River to fulfill their statutory obligations per Chapters 90.22 and 90.54 RCW. With this impending action, some local citizens are concerned that domestic exempt well use will be restricted based on future minimum instream flows. Other areas of the state, where minimum instream flows have been set, have had domestic well use limited when minimum instream flows were not met. Citizens concerned about exempt wells being conditioned on instream flows would like to recommend that state law be changed to reflect a regulatory exemption from minimum instream flows for domestic exempt well use. Another group of citizens believe the establishment of water reservations based on current use, expected growth, and instream flows would help to manage water availability for future growth.

Climate Change

The effects of climate change on local water resources, whether caused by natural climate variability or via human generated emissions, is a concern of local citizens. In response to similar concerns expressed by watershed planning groups across the state, the University of Washington's Climate Impacts Group has written a short summary containing general information regarding these issues. The intent of this document is to provide planning groups with information relevant to climate change for inclusion in watershed management plans. In order to serve the concerns of our citizens, we have included the UW Climate Impacts Group document in Appendix A1.

In addition, Paul Caton, a landowner in WRIA 62 and Watershed Planning Unit member, summarized his concerns in a paper entitled, "WRIA 62, Watershed 50-Year Planning Considerations in View of Global Warming – a Citizen's Perspective". Paul's paper is included as Appendix A2.

TABLE OF CONTENTS

EXECUTIVE SUMMARY (Including Tables 3-1, 3-2, 3-3, 3-4, 3-5, 3-6 and 3-7)

Table 3-1	Water Quantity - Issues, Actions and Responsible Parties
Table 3-2	Water Quality - Issues, Actions and Responsible Parties
Table 3-3	Habitat - Issues, Actions and Responsible Parties
Table 3-4	Water Rights - Issues, Actions and Responsible Parties
Table 3-4	Growth and Land Use Planning - Issues, Actions and Responsible Parties
Table 3-6	Economic Impacts and Community Involvement - Issues, Actions and Responsible Parties
Table 3-7	Implementation - Issues, Actions and Responsible Parties

CITIZENS' SUMMARY

1.0	INTRODUCTION.....	1
1.1	WRIA 62 Overview.....	1
1.2	Acknowledgements	1
1.3	Mission and Objective	3
1.4	Plan Structure.....	3
1.5	Supporting Technical Documents	4
1.6	Plan Availability.....	5
2.0	BACKGROUND ON WATERSHED PLANNING.....	6
2.1	Overview of the Watershed Planning Act.....	6
2.1.1	Statewide Planning Process.....	6
2.1.2	General Obligations and Expectations	7
2.2	Watershed Planning in WRIA 62.....	8
2.2.1	Initiating Governments	8
2.2.2	The WRIA 62 Planning Unit	8
2.2.3	Bylaws and Decision Making Structure.....	9
2.2.4	Technical Committees.....	9
2.2.5	Planning History and Schedule	10
2.2.6	Obligations and Expectations	11
2.2.7	Plan Scope	12
2.3	Public Outreach.....	12
2.4	Other Plans and Processes	13
2.5	Watershed Planning into the Future	13
3.0	THE WRIA 62 WATERSHED MANAGEMENT PLAN	14
3.1	Water Quantity	15
3.1.1	QUANT-1.....	15
3.1.2	QUANT-2a.....	16
3.1.3	QUANT 2b.....	17
3.1.4	QUANT 3.....	18
3.1.5	QUANT 4.....	19
3.2	Water Quality.....	20

3.2.1	WQUAL-1.....	20
3.2.2	WQUAL-2.....	21
3.2.3	WQUAL-3a.....	22
3.2.4	WQUAL-3b.....	23
3.2.5	WQUAL-4a.....	23
3.2.6	WQUAL-4b.....	24
3.2.7	WQUAL-5.....	25
3.3	Habitat.....	27
3.3.1	H-1.....	27
3.3.2	H-2.....	27
3.3.3	H-3a.....	28
3.3.4	H-3b.....	29
3.4	Water Rights.....	30
3.4.1	WR-1.....	30
3.4.2	WR-2.....	31
3.5	Growth and Land Use Planning.....	32
3.5.1	GR&LU-1.....	32
3.5.2	GR&LU-2a.....	33
3.5.3	GR&LU-2b.....	34
3.5.4	GR&LU-3.....	35
3.5.5	GR&LU-4.....	36
3.6	Economic Impacts and Community Involvement.....	37
3.6.1	EC-1a.....	37
3.6.2	EC-1b.....	38
3.6.3	EC-2.....	38
4.0	BACKGROUND AND RATIONALE FOR PLANNING ISSUES AND MANAGEMENT ACTIONS.....	39
4.1	Background and Rationale for Water Quantity Issues.....	39
4.1.1	QUANT-1 Background and Rationale.....	39
4.1.2	QUANT-2a Background and Rationale.....	41
4.1.3	QUANT-2b Background and Rationale.....	42
4.1.4	QUANT-3 Background and Rationale.....	44
4.1.4.1	Dams in the Pend Oreille River Watershed.....	45
4.1.4.2	Conflicts.....	52
4.1.4.3	Impacts of Flooding in WRIA 62.....	53
4.1.4.4	Local and Regional Flood Control Forums.....	53
4.1.4.5	Actions for Consideration.....	56
4.1.5	QUANT-4 Background and Rationale.....	56
4.2	Background and Rationale for Water Quality Issues.....	58
4.2.1	WQUAL-1 Background and Rationale.....	58
4.2.2	WQUAL-2 Background and Rationale.....	58
4.2.3	WQUAL-3a Background and Rationale.....	59
4.2.4	WQUAL-3b Background and Rationale.....	61
4.2.5	WQUAL-4a Background and Rationale.....	62
4.2.6	WQUAL-4b Background and Rationale.....	63
4.2.7	WQUAL-5 Background and Rationale.....	64
4.3	Background and Rationale for Habitat Issues.....	67
4.3.1	H-1 Background and Rationale.....	67
4.3.2	H-2 Background and Rationale.....	68

4.3.3	H-3a Background and Rationale	68
4.3.4	H-3b Background and Rationale	69
4.4	Background and Rationale for Water Rights Issues.....	71
4.4.1	WR-1 Background and Rationale	71
4.4.2	WR-2 Background and Rationale	72
4.5	Background and Rationale for Growth and Land Use Planning Issues.....	75
4.5.1	GR&LU-1 Background and Rationale	75
4.5.2	GR&LU-2a Background and Rationale	75
4.5.3	GR&LU-2b Background and Rationale	76
4.5.4	GR&LU-3 Background and Rationale	76
4.5.5	GR&LU-4 Background and Rationale	77
4.6	Background and Rationale for Economic Impact and Community Involvement Issues.....	78
4.6.1	EC-1a Background and Rationale	78
4.6.2	EC-1b Background and Rationale	78
4.6.3	EC-2 Background and Rationale	78
5.0	WATER RELATED PLANNING PROGRAMS AND PROCESSES.....	80
5.1	Other Watershed – Wide Planning Programs and Processes.....	80
5.1.1	Intermountain Province (IMP) Sub-basin Planning	80
5.1.2	Salmonid Recovery Planning.....	81
5.1.3	Federal Endangered Species Act (ESA) Bull Trout Recovery Planning	82
5.1.4	Kalispel Natural Resources Department (KNRD) Fish and Wildlife Management Plan.....	83
5.1.5	Colville National Forest Management Plan.....	83
5.1.6	Idaho Panhandle National Forest Management Plan.....	83
5.1.7	Joint Stock Assessment Project.....	84
5.1.8	Tri-State Water Quality Council	84
5.1.9	Transboundary Gas Group.....	85
5.1.10	Columbia River Treaty.....	85
5.1.11	VARQ.....	85
5.2	Total Maximum Daily Load (TMDL) Development and Implementation in Washington and Idaho	86
5.2.1	303(d) Listed Waterbodies in Washington	86
5.2.2	TMDLs in Washington	87
5.2.3	303(d) Listed Waterbodies in Idaho	87
5.2.4	TMDLs in Idaho.....	88
5.3	Growth and Land Use Planning	89
5.3.1	Growth Management	89
5.3.2	Pend Oreille County Comprehensive Planning.....	89
5.3.3	Shorelines Management.....	89
5.3.4	Water Conservation, Reclamation and Reuse (HB 1338)	90
5.3.5	Forest Practice Rules and Forest and Fish Report.....	91
6.0	IMPLEMENTATION	93
6.1	Watershed Planning Implementation Requirements.....	93
6.2	Implementation Issues and Recommended Actions	93
6.3	Watershed Plan Implementing Body	94
6.4	Mechanism to Allow for Plan Updates.....	94
6.5	A Living Plan.....	94

6.6	Issue Prioritization	95
6.7	Funding	97
6.8	Plan Obligations	98
6.9	Implementation Checklist.....	98
7.0	STATE ENVIRONMENTAL POLICY ACT (SEPA)	100
7.1	WRIA 62 Plan Approach for Programmatic SEPA compliance.....	100
7.2	SEPA and Watershed Planning	101
7.3	SEPA compliance for the Pend Oreille (WRIA 62) Watershed Management Plan.	102
	7.3.1 Plan Consistencies with the Statewide Programmatic Watershed Planning EIS	102
	7.3.2 Other SEPA Assumptions and Qualifications	104
	7.3.3 WRIA 62 Plan SEPA Compliance Tables.....	105
7.4	Summary	125
8.0	REFERENCES	126

LIST OF TABLES

Table 3-1	Water Quantity - Issues, Actions and Responsible Parties
Table 3-2	Water Quality - Issues, Actions and Responsible Parties
Table 3-3	Habitat - Issues, Actions and Responsible Parties
Table 3-4	Water Rights - Issues, Actions and Responsible Parties
Table 3-4	Growth and Land Use Planning - Issues, Actions and Responsible Parties
Table 3-6	Economic Impacts and Community Involvement - Issues, Actions and Responsible Parties
Table 3-7	Implementation - Issues, Actions and Responsible Parties
Table 4-1	Summary of Stream Closures in WRIA 62
Table 4-2	WRIA 62 and Upstream Dams and Reservoirs
Table 4-3	Lake Pend Oreille Elevation Rule Curves
Table 4-4	Highest Discharges and Flow Volumes for Pend Oreille River at Newport
Table 4-5	Flood Damage Conditions Related to Pend Oreille River at Newport Gage
Table 4-6	TMDLs in Washington and Idaho
Table 4-7	WRIA 62 Group A Water Systems
Table 4-8	WRIA 62 Group A Water Systems
Table 4-9	Summary of Funding Sources for the WRIA 62 Watershed Management Plan
Table 6-1	WRIA 62 Issue Prioritization
Table 7-1	SEPA Analysis for Water Quantity Actions
Table 7-2	SEPA Analysis for Water Quality Actions
Table 7-3	SEPA Analysis for Habitat Actions
Table 7-4	SEPA Analysis for Water Rights Actions
Table 7-5	SEPA Analysis for Growth and Land Use Actions
Table 7-6	SEPA Analysis for Economic Impacts and Community Involvement Actions
Table 7-7	SEPA Analysis for Implementation Actions

LIST OF FIGURES

Figure ES1	Pend Oreille Watershed Overview
Figure 1-1	Pend Oreille Watershed Overview
Figure 2-1	Watershed Planning History and Schedule
Figure 4-1	Surficial Geology
Figure 4-2	Population Change 1990-2000
Figure 4-3	Population Growth and Stream Flow Limitations
Figure 4-4	Phase II Surface Water Monitoring Sites
Figure 4-5	Dams in the Pend Oreille – Clark Fork Watershed
Figure 4-6	Total Maximum Daily Loads (TMDLs)
Figure 4-7	1998 303(d) Listed Waterbodies
Figure 4-8	2002/2004 Proposed 303(d) Listings for Washington and Draft 2000/2003 303(d) Listings for Idaho
Figure 4-9	Conceptual Water Resource Management
Figure 4-10	National Forest Grazing Allotments
Figure 5-1	WRIA 62 Related Plans and Processes

LIST OF APPENDICES

Appendix A	Watershed Planning and Climate Change
	A1 Climate Impacts on Water Resources (University of Washington, 2004)
	A2 Watershed 50-year Planning Considerations in View of Global Warming – a Citizen’s Perspective (Caton, 2004)
Appendix B	Executive Summaries, Phase II, Level 1 and 2 Technical Assessments
	B1 Table of Contents, Phase II, Level 1 Technical Assessment
	B2 Summary and Conclusions, Phase II, Level 2 Technical Assessment
	B3 Main Text, 2003/2004 Stream Data Collection
Appendix C	WRIA 62 Initiating Documents
	C1 Chapter 90.82 RCW Watershed Planning Act
	C2 Memorandum of Agreement between Initiating Governments and Letters of Support from the City of Newport, Pend Oreille County, the Public Utility District, the Kalispel Tribe, and Stevens County.
	C3 By-Laws
Appendix D	Issue Identification Work Session Summaries
	D1 Phase II, Level 1 Issue Identification and Sub-basin Ranking
	D2 Phase II, Level Work Sessions 1 and 2
Appendix E	Public Outreach Plan
Appendix F	Supporting Rules, Laws and Guidance
	F1 Chapter 173-590 WAC Procedures Relating to the Reservation of Water for Future Public Water Supply
	F2 Chapter 90.22 RCW Minimum Water Flows and Levels
	F3 Chapter 173-153 WAC Water Conservancy Boards
	F4 Ecology Guidance Setting Instream Flows and Allocating Water for Future Out-of-Stream Uses
Appendix G	Information Supporting Water Quantity Issues
	G1 Pend Oreille PUD No. 1 Diking District Agreements
	G2 Guidelines for Technical Management Team
Appendix H	Information Supporting Water Quality Issues
	H1 TMDL Coordination Letters to EPA, Ecology and IDEQ
Appendix I	Information Supporting Habitat Issues
	I1 Pend Oreille Salmonid Recovery Team Strategy
Appendix J	Information Supporting Water Rights Issues
	J1 Applying for and Maintaining Water Rights
	J2 Frequently Asked Questions about Water Rights in Washington
Appendix K	Information Supporting Economic and Community Involvement Issues
	K1 Potential Funding Sources

LIST OF ACRONYMS

ACOE	Army Corps of Engineers
AF	acre-feet
amsl	above mean sea level
BiOp	Biological Opinion
BLM	Bureau of Land Management
BMP	Best Management Practices
BOR	United States Bureau of Reclamation
BPA	Bonneville Power Administration
CAG	Citizens Advisory Group
CD	Compact Disc
CDBG	Community Development Block Grant
cfs	cubic feet per second
CRP	Farm Service Administration Conservation Reserve Program
CTED	Community Trade and Economic Development
DOH	Washington State Department of Health
DNS	Determination of Non-Significance
DS	Determination of Significance
Ecology	Washington State Department of Ecology
EIM	Environmental Information Management
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
EQIP	Environmental Quality Incentive Program
ERWoW	Evergreen Rural Water of Washington
ESA	Endangered Species Act
FCAAP	Flood Control Assistance Account Program
FCRPS	Federal Columbia River Power System
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
ft	feet
GIS	Geographic Information System
GMA	Growth Management Act
HB	House Bill
ID	Idaho
IMP	Intermountain Province
IT	Implementation Team
IDFG	Idaho Department of Fish and Game
JPO	Joint Plan of Operation
JSAP	Joint Stock Assessment Program
KNRD	Kalispel Tribe Natural Resource Department
LIP	Landowner Incentive Program
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NPCC	Northwest Power and Conservation Council
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service
POCD	Pend Oreille Conservation District

POET	Pend Oreille Environmental Team
PUD	Public Utility District
QAPP	Quality Assurance Project Plan
RCW	Revised Code of Washington
RM	River Mile
SARE	Sustainable Agriculture Research and Education
SEPA	State Environmental Policy Act
SRFB	Salmon Recovery Funding Board
SWSL	Surface Water Source Limitation
TAG	Technical Advisory Group
TDG	Total Dissolved Gas
TMDL	Total Maximum Daily Load
TMT	Technical Management Team
UGA	Urban Growth Area
USDA	United States Department of Agriculture
USFS	United States Forest Service
USFWS	United States Fish and Wildlife Service
VARQ	Variable Flow
WA	Washington
WAC	Washington Administrative Code
WCC	Washington Conservation Commission
WDFW	Washington Department of Fish and Wildlife
WDOH	Washington State Department of Health
WETRC	Washington Environmental Training Centre
WSDOT	Washington State Department of Transportation
WHIP	Wildlife Habitat Incentive Program
WPU	Watershed Planning Unit
WRIA	Water Resource Inventory Area
WRIA 55	Little Spokane River Watershed
WRIA 57	Middle Spokane River Watershed
WRIA 59	Colville River Watershed
WRIA 62	Pend Oreille River Watershed
WRP	Wetland Reserve Program

1.0 INTRODUCTION

This chapter of the Pend Oreille River Watershed Management Plan (Plan) presents an overview of the watershed, acknowledges the people involved, presents the objective of this plan, describes the Plan structure and provides a road map that users of this plan can follow to find supporting information. The Pend Oreille River Watershed is denoted as Watershed Resource Inventory Area (WRIA) 62. WRIs are described in Chapter 173-100 Washington Administrative Code (WAC). WRIA 62, its sub-basins, and the cities, towns, counties, and tribal lands within the watershed are shown in Figure 1-1.

1.1 WRIA 62 Overview

The Pend Oreille Watershed (WRIA 62) encompasses about 1,300 square miles of the Pend Oreille River watershed within northeastern Washington State (Figure 1-1). About 1,000 square miles of WRIA 62 drains to the lower Pend Oreille River. The lower Pend Oreille River flows northwards 72.3 miles from the Washington – Idaho border at Newport, Washington to the Washington – British Columbia border. In Canada, the Pend Oreille River flows an additional 13 miles until its confluence with the Columbia River. In addition, WRIA 62 includes about 300 square miles of land that drains eastward towards Idaho's Priest River. WRIA 62 represents only about five percent of the total Pend Oreille River drainage basin. The Pend Oreille River, one of the major sub-basins of the Columbia River, drains the Clark Fork – Pend Oreille watershed, which spans about 26,000 square miles and includes the fourth and fifth largest lakes in the United States: Flathead Lake in Montana and Lake Pend Oreille in Idaho, respectively. After flowing through WRIA 62, the Pend Oreille River flows into Canada where it joins the Columbia River at river mile 745.5.

For watershed planning purposes, the Planning Unit organized WRIA 62 into thirty-nine (39) hydrologic sub-basins with tributaries that drain into the Pend Oreille River mainstem in Washington or the Priest River Basin in Idaho as well as two areas alongside the Pend Oreille River mainstem in Washington (from Newport to Box Canyon Dam and from Box Canyon Dam to the Canadian border) which drain directly into the Pend Oreille River (Figure 1-1).

To a large extent, the western boundary of WRIA 62 coincides with the Stevens County - Pend Oreille County boundary so that only the western upland (and sparsely populated) portions of the Calispell, Tacoma, Cedar, Flume, Pewee and Russian sub-basins are within Stevens County (Figure 1-1). The majority of the land area, and essentially all the population of WRIA 62, is encompassed within Pend Oreille County. For this reason, Stevens County declined to be involved in the WRIA 62 planning process. The incorporated cities and towns include (from north to south): the Towns of Metaline Falls, Metaline, Ione and Cusick and the City of Newport (Figure 1-1).

1.2 Acknowledgements

The Pend Oreille River Watershed Management Plan (Plan) represents the participation of numerous stakeholders from the Pend Oreille Watershed over six years. Many of these stakeholders spent countless hours providing information, developing plan issues and actions, and attending meetings to represent their constituencies. These individuals are listed below. The currently active representatives are denoted by an asterisk.

Representative – Agency / Group

**Ken Austin – City of Newport (Initiating Government)*

**Lori Blau – Industry*

Mark Brown – Mining

**Pat Buckley – Pend Oreille Public Utility District #1 (Initiating Government)*

**Jim Carney – Agriculture / Diking Districts*

**Paul Caton – Landowner*

Jill Cobb – Idaho Panhandle National Forests (US Forest Service)

**Don Comins – Pend Oreille Conservation District (Lead Agency)*

**Meg Decker – Selkirk Conservation Alliance*

**Sandy Dotts - Washington Department of Fish and Wildlife*

**Paul Edgren - Real Estate and Development*

**Matthew Fairchild - Idaho Panhandle National Forests (US Forest Service)*

Gary Fergen - Pend Oreille County (Initiating Government)

Russ Fletcher – Pend Oreille Conservation District (Lead Agency)

Nancy Glines – Colville National Forest (US Forest Service)

**John Gross – Kalispel Tribe Natural Resources Department (Initiating Government)*

Keith Holliday – Washington Department of Ecology

Scott Hall – Kalispel Tribe Natural Resources Department (deceased)

**David Jensen – Pend Oreille County Planning Department (Initiating Government)*

**Ray King – City of Newport (Initiating Government)*

**Kevin Kinsella - Mining*

Ken Kuhn – Pend Oreille County Planning Department (Initiating Government)

**Don LaBelle – Landowner*

**Joann LaBelle – Landowner*

Randall Leestma - Landowner

Carol Mack – Pend Oreille Conservation District (Lead Agency)

**Jim Marthaller - Pend Oreille County Planning Department (Initiating Government)*

**Jim Newton – Washington Department of Natural Resources*

**Dick Noble – Real Estate and Development*

Dwight Opp – Private Timber

Jean Parodi - Washington Department of Ecology

**Wade Pierce – Private Timber*

Steve Roberge – Pend Oreille Conservation District (Lead Agency)

Kevin Robinette – Washington Department of Fish and Wildlife

**Marty Robinson - Pend Oreille Public Utility District #1 (Initiating Government)*

**Duane Schofield - Landowner*

**Tom Shuhda – Colville National Forest (US Forest Service)*

Mark Simpson – Natural Resources Conservation Service (NRCS)

**Al Solonsky – Seattle City Light*

**Sharon Sorby – Pend Oreille County Weed Board*

John Stuart – Pend Oreille Environmental Team (POET)

**Mimi Wainwright – Washington Department of Ecology*

**Ruth Watkins - Tri-State Water Quality Council*

Neil White – Pend Oreille County Planning Department (Initiating Government)

**Michelle Wingert – Kalispel Tribe Natural Resources Division (Initiating Government)*

Charlotte Yergens – Pend Oreille Conservation District (Lead Agency)

**Matt Zupich - Pend Oreille Conservation District (Lead Agency)*

1.3 Mission and Objective

The Mission of the Pend Oreille Planning Unit, as approved in the January 18, 2001 by-laws, is:

“To develop and implement a Watershed Plan addressing local concerns, watershed health and economic stability.”

The Planning Unit’s objective for the Plan is to develop strategies that will balance competing demands for water, while at the same time addressing local concerns, preserving and enhancing the health of the watershed, and considering the economic stability of the watershed. Additional information on the Planning Unit and the by-laws is included in Chapter 2.

1.4 Plan Structure

This plan is intended for a number of audiences including: those who are reading the information for the first time; those who have been involved in the process from the start; and, those entities who will be implementing Plan actions. With this in mind, the core of this plan – the issues, actions and responsible parties - are presented at the front of the document with the supporting information in subsequent Chapters.

The following summarizes the structure of this document:

Executive Summary –The Executive Summary, along with Tables 3-1 through 3-7, provide a concise overview of this plan.

Citizens’ Summary - The intent of this section is to include, at the front of this plan, the voices and concerns of Watershed Planning Unit members who are also residents and/or landowners in WRIA 62.

Chapter 1 introduces the Plan.

Chapter 2 provides background information on the Watershed Planning Act and focuses on the watershed planning process in WRIA 62.

Chapter 3 is the core of the Plan and presents the issues, the proposed management actions and identifies the entities responsible for implementation of the actions.

Chapter 4 describes the background and rationale for the issues and proposed actions. The purpose of this chapter is to clarify reasons why Planning Unit members feel these issues are important to the watershed. Important discussion points and technical information are also included to support issues and actions.

Chapter 5 summarizes water related planning programs and processes that are relevant to the Watershed Planning process in WRIA 62.

Chapter 6 presents the WRIA 62 Planning Unit's concept for implementation of this plan.

Chapter 7 provides documentation of programmatic State Environmental Policy Act (SEPA) compliance specific to the WRIA 62 Watershed Management Plan for adoption of the Plan by Pend Oreille County.

Chapter 8 lists the references cited in this document.

Additional supporting information is included within the Appendices to this plan.

1.5 Supporting Technical Documents

The following documents contain technical information compiled and assessed in Phase II of the Pend Oreille River Watershed planning process:

- The Phase II, Level 1 WRIA 62 Technical Assessment (Entrix, 2002);
- The Phase II, Level 2 WRIA 62 Technical Assessment (Golder, 2005);
- Surface Water Monitoring Water Resource Inventory Area 62 (Geoengineers, 2004)

The tables of contents and summaries (if any) for these documents are included in Appendix B. Complete reports are available in hard copy for review at the Pend Oreille Conservation District in Newport, WA, at the Ecology Eastern Regional office in Spokane, WA. Electronic copies of these reports are available on the Plan Compact Disc (CD).

These documents characterize the Pend Oreille River Watershed in terms of water quantity, water quality and habitat information available at the time the work was completed. Primary areas of information include:

- **General Watershed Characterization** including: geography, climate, geology and geomorphology, soils, hydrogeology, hydrology and land use.
- **Water Quantity** including: current and future water use; water rights allocation; surface water resources; groundwater resources; water availability versus water use; water allocation versus water use; streamflow monitoring plan; and, streamflow monitoring data collection.
- **Water Quality** including: surface water and groundwater quality data compilation and characterization; and, surface water quality monitoring plan.
- **Aquatic Habitat** including: fish distributions and current habitat programs and projects.

Since relevant information continues to be collected in the watershed, this plan acknowledges that some components of these documents are now outdated and encourages interested parties to communicate with the Watershed Planning Implementing Body to obtain current information.

1.6 Plan Availability

Hard copy of this plan, including the Appendices, is available for review at the following locations:

Pend Oreille Conservation District, 100 N. Washington Ave., Newport, WA 99156.
Tel: (509) 447-4217.

Washington State Department of Ecology, Eastern Regional Office, 4601 North Monroe,
Spokane, WA 99205. Tel: (509) 329-3400.

Newport Public Library, 116 S. Washington Ave., Newport, WA 99156.
Tel: (509) 447-2111.

Calispell Valley Library, 107 First Ave., Cusick, WA 99119.
Tel: (509) 445-1215.

Metline Community Library, 302 Park St., Metline Falls 99153.
Tel: (509) 446-3232

Ione Public Library, 112 Central Ave., Ione, WA 99139.
Tel: (509) 442-3030.

A copy of Plan in pdf format, including the Appendices, is available on Compact Disc (CD) and can be obtained by calling the Pend Oreille Conservation District Watershed Coordinator in Newport, WA at (509) 447-4217.

The Plan is also available for viewing and downloading (as pdf files) in sections from the Pend Oreille Conservation District web site at www.pocd.org/wria.html.

2.0 BACKGROUND ON WATERSHED PLANNING

The purpose of this chapter is to provide background information on the Watershed Planning Act and watershed planning in WRIA 62.

2.1 Overview of the Watershed Planning Act

The Pend Oreille River Watershed Management Plan has been created in accordance with the Watershed Management Act (Chapter 90.82 Revised Code of Washington (RCW)). The Act was passed by the State Legislature in 1998 to provide a forum for citizens of the watershed to develop locally based solutions to watershed issues. A copy of Chapter 90.82 RCW is included within Appendix C1. Twelve Washington State agencies (listed below) signed a Memorandum of Understanding (MOU) identifying roles and responsibilities for coordination under the Act. This memorandum commits these agencies to work through issues in order to speak with one governmental voice when sitting at local Planning Unit tables.

- Department of Agriculture
- Conservation Commission
- Department of Community, Trade and Economic Development
- Department of Ecology
- Department of Fish and Wildlife
- Department of Health
- Department of Natural Resources
- Department of Transportation
- Interagency Committee for Outdoor Recreation
- Puget Sound Water Quality Action Team
- Salmon Recovery Office, within the Governor's Office
- State Parks and Recreation Commission

Although the Watershed Planning Act does not give the Planning Unit authority to change existing laws, alter water rights or treaty rights, or require any party to take an action unless that party agrees, it does provide the Planning Unit considerable flexibility in guiding the planning process and developing potential strategies for managing the water resources within a WRIA.

2.1.1 Statewide Planning Process

The watershed planning process begins with a group of governments called “initiating governments,” which must include all the counties within the watershed, the largest city, and the largest water purveyor. Counties may opt out as per RCW 90.82.130 (2) (c). Indian Tribes with reservation land within the management area must be invited to participate as an initiating government in accordance with RCW 90.82.060(4) and (5). The initiating governments appoint a lead agency to oversee the planning process, determine the scope of planning (by selecting optional elements) and develop a proposed group of stakeholders that represent water interest in the community.

The grant funding that supports watershed planning is separated into: Phase I Organizing (\$50,000), Phase II Assessment (\$200,000), Phase III Planning (\$250,000) and Phase IV Implementation (\$400,000). The legislature added additional funds to supplement the assessment phase. Supplemental grants of up to \$100,000 were designated for Storage (as an optional element of the Water Quantity component), Instream Flow, and Water Quality.

The Watershed Planning Act (Chapter 90.82.RCW) describes watershed planning as four separate components; Water Quantity, Instream Flow, Water Quality, and Habitat. The scope of watershed planning must include the Water Quantity component in order to qualify for grant funding under this Chapter. The remaining three components are optional. The four planning elements are detailed below:

- The *water quantity* component of the plan is mandatory and addresses water quantity by assessing water supply and use in the watershed and developing strategies for future use (RCW 90.82.070). Watershed plans must address quantity with strategies that would supply adequate instream water for fish and out-of-stream water for future uses and/or development.
- The *water quality* component addresses water quality in the watershed by synthesizing current available data, and gathering metadata on current and historical water quality programs and studies. The intent of this component is the development of watershed-wide assessment of water quality and local approaches for monitoring and Total Maximum Daily Load (TMDL) implementation.
- The *habitat* component guides plan development to consider protection and enhancement of fish habitat. This component, as per RCW 90.82.100, “must rely on existing laws, rules, or ordinances created for the purpose of protecting, restoring, or enhancing fish habitat, including the Shoreline Management Act (Chapter 90.58 RCW), the Growth Management Act (Chapter 36.70A RCW), and the Forest Practices Act (Chapter 76.09 RCW)”.
- *Instream Flows* are defined as scientifically-based surface water flows set by administrative rule to ensure adequate water for fish, other instream values and senior out-of-stream beneficial uses. This planning component is designed to set minimum instream flows for streams within the watershed. If the Planning Unit chooses not to address instream flows, in the planning process, setting of instream flows could be taken on by Ecology

2.1.2 General Obligations and Expectations

In general, Watershed Management Plans will be used to guide future water management in participating WRIAs. Ecology and the Planning Unit expect to use the actions recommended in this plan to aid water management decisions in WRIA 62.

When the Watershed Management Plan is approved by the Planning Unit and participating State agencies, Ecology will be obligated to integrate Plan actions into strategies and will be required to track its work obligations. The following sections from the 2003 update of Chapter 90.82 RCW provide details and directives to agencies and organizations about Plan obligations and expectations:

- RCW 90.82.130(3)(c) “for an organization voluntarily accepting an obligation, the organization must adopt policies, procedures, agreements, rules, or ordinances to implement the Plan and should annually review implementation needs with respect to budget and staffing.”
- RCW 90.82.130(4) “After a Plan is adopted...the department (of Ecology) shall use the Plan as the framework for making future water resource decisions for the

planned watershed. Additionally, the department shall rely upon the Plan as a primary consideration in determining the public interest related to such decisions.”

2.2 Watershed Planning in WRIA 62

The WRIA 62 Watershed Management Plan (Plan) is the product of over six years of collaboration, and is intended to be a locally-supported, long-term plan focusing on water availability, and also addressing water quality and habitat in the Pend Oreille River Watershed (WRIA 62). The WRIA 62 Watershed Planning Unit opted not to address the instream flow component. However, some planning actions do address future potential instream flow rule-making in the watershed. The following sections describe the watershed planning process in WRIA 62.

2.2.1 Initiating Governments

In July of 1998 the Pend Oreille County Watershed Committee met and took steps to apply for Phase I funds to organize the Watershed Planning Unit. In 1998 letters of support identifying the Pend Oreille Conservation District as Lead Agency were received from the Pend Oreille County Commissioners, the Pend Oreille Public Utility District, the City of Newport, the Kalispel Tribe and the Stevens County Commissioners. In July 2000, the Memorandum of Agreement (MOA) was written and signed identifying the Initiating Governments and the Lead Agency. The Initiating Governments are the Kalispel Tribe (by virtue of accepting the invitation to support the watershed planning process as per RCW 90.82.060(5)), Pend Oreille County, City of Newport and the Pend Oreille County Public Utility District #1. The Pend Oreille Conservation District was designated as the Lead Agency for the process and is not an Initiating Government. A copy of the MOA and letters of support are included in Appendix C2.

2.2.2 The WRIA 62 Planning Unit

As of November, 2004, the WRIA 62 Planning Unit comprised the following agencies, groups and citizens. Of the members listed below, the State and Federal agencies are each eligible for one vote (i.e., both State and Federal agencies will each vote as a single entity).

PLANNING UNIT REPRESENTATION (November 2004)

Pend Oreille Conservation District (Lead Agency and non-voting member)

Pend Oreille County Planning Department (Initiating Government)

City of Newport (Initiating Government)

Pend Oreille Public Utility District #1 (Initiating Government)

Kalispel Tribe Natural Resources Division (Initiating Government)

Pend Oreille County Weed Board

Washington State Agencies

US Forest Service, Colville National Forest and Idaho Panhandle National Forest

Real Estate and Development

Agriculture / Diking Districts

Tri-State Water Quality Council (non-voting member)

Seattle City Light

Ponderay Newsprint Company (Industry)

Selkirk Conservation Alliance
Stimson Lumber (Private Timber)
Teck Cominco (Mining)
Paul Caton – Landowner
Duane Schofield – Landowner
Don and Joann LaBelle – Landowners

2.2.3 Bylaws and Decision Making Structure

The MOA (Appendix C2) dictates that the “Pend Oreille Watershed Planning Unit and Government participants will conduct decision-making by consensus as described in the Watershed Planning Unit By-Laws”. A copy of the bylaws for the WRIA 62 Planning Unit (dated January 18, 2001 and amended on September 18, 2003) are included as Appendix C3.

As stated in the bylaws under Section 5b, Decision Making (as amended on September 18, 2003),

“The Planning Unit shall operate by consensus for the decision making process. Consensus is defined as an agreement by all consensus building members. State and Federal agency representatives will vote with one voice respectively. Any issue requiring consensus, will be voted on by attending members, the attending members will decide if the issue is administrative or non-administrative. Administrative decisions require one vote to adopt. Non-administrative decisions take either two Planning Unit votes or one Planning Unit vote followed by a physical mailing to Planning Unit members explaining the proposed issue. Planning Unit members will have one week (from time of mailing) to respond. Failure to respond results in a sustained vote.”

The Watershed Planning Unit reaffirmed at the January 15, 2004 Planning Unit meeting decision making by consensus of all Planning Unit members. At the January 15, 2004 Planning Unit meeting, different forms of consensus were agreed to as follows:

Strong consensus - *I like it !*

Endorse with minor reservations - *Basically, it's OK.*

Liveable solution - *I can live with it.*

Abstain - *I have no opinion.*

Stand aside - *It would not be my choice, but it's not so important to me that I want to stand in the way of the group.*

Formal minority report - *I'll support the decision, but I want my disagreement to be noted in writing.*

2.2.4 Technical Committees

Although not formally recognized in the MOA nor the bylaws, the Planning Unit establishes technical committees as needed to work through specific issues and to bring these issues to the Planning Unit.

Technical committee members are included in the acknowledgements section at the beginning of this document.

2.2.5 Planning History and Schedule

The WRIA 62 watershed planning timelines are illustrated on Figure 2-1. The following paragraphs of this section describe the mile stones in more detail.

On July 14, 1998 the Pend Oreille County Watershed Committee initiated Watershed Planning in WRIA 62 with a proposal to apply for Phase I funds. During Phase I, letters of support were garnered, the Initiating Governments were convened, the Memorandum of Agreement was developed and signed in July of 2000 and a scope of work was developed to address the Phase II Technical Assessment. The first public meeting was held in the Cusick High School on the evening of August 19, 1999. Thirty people attended.

On January 17, 2002, the Phase II, Level 1 Technical Assessment was completed (Entrix, 2002). The table of contents for this report is attached as Appendix B1. The entire document is available for review at the Pend Oreille Conservation District offices in Newport, WA and in electronic format on the Final Plan CD.

Initial work on the Watershed Management Plan began during Phase II of the watershed planning process with identification of issues and sub-basin prioritization by the Planning Unit at the May and June 2001 Planning Unit meetings (Entrix, 2002). Information from the May and June 2001 meetings are included in Appendix D1. Issue development was continued during Work Session No. 1 (December, 2002) and Work Session No. 2 (January, 2003). The purpose of these work sessions was to identify and confirm stakeholder issues, define problem statements and begin to develop recommended actions to address the problems identified. The summaries for Work Sessions Nos. 1 and 2 are included in Appendix D2.

The results of Work Sessions Nos. 1 and 2 (Appendix D2) were used by the Planning Unit to confirm the scope of work for additional Phase II technical assessment (Level 2 of Phase II). The work completed included a Level 2 Technical Assessment (Golder, 2005) and stream data collection and analysis during 2003 / 2004 (GeoEngineers, 2004). The summary and conclusions for the Phase II, Level 2 Technical Assessment (Golder, 2005) is included as Appendix B2. The report text for the stream data collection work (GeoEngineers, 2004) is included as Appendix B3. The complete documents are available for review at the Pend Oreille Conservation District offices in Newport, WA and in electronic format on the Final Plan CD.

Phase III Planning Unit Work Sessions Nos. 3 and 4 were convened in October and November 2003, respectively, to further develop stakeholder issues. Phase III issue development continued at regularly scheduled monthly Planning Unit meetings following these work sessions through to and including the December, 2004 Planning Unit meeting. The final outcome of issue development is included within this Watershed Management Plan as Chapter 3.

The following bullets summarize the timelines for Phase III through approval of the Plan:

- Issue Identification – December 2002 and January 2003
- Preliminary Plan Format – December 2003
- Issue Development – October 2003 to December 2004
- Meeting with Commissioners (Issues and Instream Flow Direction) - December 13, 2004

- Final Confirmation of Issues - December 14, 2004
- First Working Draft Plan - December 17, 2004
- Steering Committee Meeting (Review of First Working Draft Comments) - January 18, 2005
- WPU Meeting (Review of First Working Draft Comments) – January 20, 2005
- Final Draft Plan to State Caucus and Planning Unit - January 26, 2005
- Meeting with Commissioners (Presentation of Final Draft Plan) – January 31, 2005
- Meeting with Commissioners (Solicit Final Draft Plan Comments) – February 7, 2005
- Meeting with Commissioners (Solicit Final Draft Plan Comments) – February 14, 2005
- WPU Meeting (Review Final Draft Comments) – February 17, 2005
- Steering Committee Meeting (Review of Final Draft Comments) - February 24, 2005
- Final red-line Plan for WPU and Commissioners’ Review – March 4, 2005
- WPU Meeting (first meeting to review and approve Final Red-Line Plan) – March 14, 2005
- Meeting to update the Commissioners – March 14, 2005
- WPU Meeting (second meeting to review and approve Final Red-Line Plan) – March 17, 2005
- Planning Unit Approved Plan to Ecology and County Commissioners – March 25, 2005

Public outreach efforts, lead by the Pend Oreille Conservation District, have been ongoing since June, 1999 and will continue until the Plan is adopted by the County legislative authorities. The public outreach plan is included as Appendix E.

2.2.6 Obligations and Expectations

As outlined in the Memorandum of Agreement signed by the WRIA 62 Initiating Governments (Appendix C2), the Planning Unit will submit the draft Watershed Management Plan to the Initiating Governments for approval. The Initiating Governments will have thirty (30) days to comment and return the Plan for amendment. After revisions have been made, the Planning Unit will re-submit the Plan to the Initiating Governments for final approval.

In the MOA (Appendix C2), it states that “Government and regulatory agency participants shall provide specific written approval to the Initiating Governments of all Plan elements that create an obligation on the agency”. In the MOA, “obligation” means any required action which imposes fiscal impact, a redeployment of resources or a change in existing policy. “Governments” are those entities empowered with legislative or regulatory power by state or local statutes. At the January 2005 Watershed Planning Unit meeting, the Planning Unit agreed that specific written approval to the Initiating Governments would not be necessary and that approval of this Watershed Management Plan constitutes acceptance by government and regulatory agency participants of the obligations within the Plan.

In accordance with the bylaws (Appendix C3), the Planning Unit must approve the plan by consensus. Once key management actions are defined and the Planning Unit approves the Plan, it must be submitted to Pend Oreille County. The County legislative authority is then required to:

- Provide public notice of, and conduct at least one public hearing on the plan; and;
- Hold legislative session to either approve the plan or return it to the Planning Unit with suggested revisions.

The entities responsible for the actions identified in this Watershed Management Plan are listed in Tables 3-1, 3-2, 3-3, 3-4, 3-5, 3-6 and 3-7, along with corresponding actions.

2.2.7 Plan Scope

The WRIA 62 Initiating Governments agreed initially to address all four elements of watershed planning (i.e., the mandatory component of water quantity and the optional components of water quality, habitat and instream flow). Prior to applying for supplemental funding, the Planning Unit approached the County Commissioners regarding the setting of instream flows. After a presentation to the Commissioners, the Commissioners decided not to support the setting of instream flows and, as a result, the Planning Unit, amended their contract with Ecology to exclude Phase II instream flow studies.

2.3 **Public Outreach**

Public outreach and participation are important components of Watershed Planning. A Public Outreach Plan was developed by the Pend Oreille Conservation District and the Watershed Planning Unit Public Relations Committee as part of Phase III Watershed Planning. The Outreach Plan and documentation of outreach related activities are provided in Appendix E. Planning Unit members undertook responsibility for briefing their constituencies about the Plan as it was developed. A list of all of the public outreach activities and entities that were informed throughout the watershed planning process is included in Appendix E.

Public outreach activities included:

- Formation of a Watershed Planning Public Relations Committee;
- Frequent briefings and updates with the Pend Oreille County Commissioners including two presentations on WRIA 62 watershed planning in general and two presentations on instream flow issues;
- Briefings with the Newport City Council, the PUD No. 1 Commissioners, Pend Oreille County Planning Commission, the Tri-State Water Quality Council and the Newport Kiwanas Club;
- Public meetings (two) in Cusick;
- Booths at the 2000, 2001, 2002, 2003 and 2004 annual Pend Oreille County Fair;
- Booth at the 2004 Newport Centennial;
- Flyers included within 7,500 utility bills;
- Local survey of landowner problems specifically directed at watershed issues;
- Utilization of the Pend Oreille Conservation District's website (www.pocd.org) to advertise watershed planning activities and to post technical documents for public downloading;
- Production of an infomercial for broadcasting on cable television ten times per day for three months. The infomercial is available on VHS from the Pend Oreille Conservation District office in Newport, WA and can be downloaded from the Pend Oreille Conservation District's web-site; and,
- Published articles in the local newspapers and the Quarterly Pend Oreille Conservation District's *Watershed News*.

2.4 Other Plans and Processes

Numerous water related plans, programs and processes are ongoing in the Pend Oreille Watershed. Furthermore, watershed boundaries do not follow political boundaries, so watershed planning may be a component of (or be affected by) water-related activities in other WRIAs, including the Watershed Management Plans developed for adjacent WRIAs (Figure 1-1). Adjacent WRIAs which have recently completed Watershed Management Plans include WRIA 59 (the Colville River Watershed to the west of WRIA 62) and WRIA 55 (the Little Spokane River Watershed to the south of WRIA 62). It is the intent of the Planning Unit that this Watershed Management Plan complement ongoing plans, policies and processes. Where applicable, implementation of the WRIA 62 Watershed Management Plan is intended to facilitate the goals of related plans, policies, and processes and avoid duplication of effort. A detailed discussion of concurrent water-related plans and processes in this watershed is provided in Chapter 5.

2.5 Watershed Planning into the Future

The purpose of this plan is to direct implementation of management actions to address the water quantity, water quality, habitat, water rights, growth and land use and economic issues that are currently considered important to the members of the WRIA 62 Planning Unit. The Planning Unit acknowledges that there are insufficient resources to implement all the actions identified within this plan and, as a result, implementation of actions will be directed by priorities and will be contingent upon available resources. The Planning Unit also recognizes that management priorities within the watershed may change over time with changing environmental regulation, population growth, changing land use and climate change. As a result, it is important that the Watershed Planning Implementing Body develop a schedule for updating this plan as the initial task of Phase IV Implementation. Directions for Phase IV Implementation are included in Chapter 6.

3.0 THE WRIA 62 WATERSHED MANAGEMENT PLAN

This chapter is the core of the WRIA 62 Watershed Management Plan and summarizes the issues, goals and management actions identified and developed by the WRIA 62 Planning Unit. The entities responsible for implementation of the actions are identified within each management action and are summarized in Tables 3-1, 3-2, 3-3, 3-4, 3-5, 3-6 and 3-7. The Washington State law justifying each issue is also presented within the text and tables. The intent of this chapter is to present the culmination of the Plan simply and concisely. The background and rationale for the issues and actions are included in Chapter 4.

The issues addressed in this Watershed Management Plan have been developed under the following key issue categories (and summarized in the associated tables):

- Water Quantity (Table 3-1);
- Water Quality (Table 3-2);
- Habitat (Table 3-3);
- Water Rights (Table 3-4);
- Growth and Land Use Planning (Table 3-5);
- Economic Impacts and Community Involvement (Table 3-6); and,
- Implementation (Table 3-7).

Within each category above, the Planning Unit identified specific issues (presented as problem statements), goals and management actions to address the issue. For each action, there is an entity or entities responsible for implementation. Early in this planning process, the Planning Unit acknowledged that there would be finite funding available for implementation and that many of the entities that voluntarily agreed to implement actions may not have sufficient funding to do so during the implementation Phase (Phase IV) of Watershed Planning. As a result, the Planning Unit agreed that actions recommended for implementation would not pose a funding obligation on the responsible party and that implementation of the actions would be contingent upon available resources as well as each entity's legal obligations.

The Planning Unit recommends that an Implementing Body be formed to coordinate and prioritize implementation of the Plan actions. The Planning Unit recommends that the current Memorandum of Agreement (Appendix C2) between the Watershed Planning Initiating Governments, which covers Phase I, II and III of Watershed Planning, be amended to include Phase IV. The Planning Unit's vision is that members of the Planning Unit and others within the community will volunteer to make up the Implementing Body so that there is strong continuity between the Planning and Implementation Phases.

The following sections present the issues and actions developed by the Planning Unit under the categories of Water Quantity (QUANT), Water Quality (WQUAL), Habitat (H), Water Rights (WR), Growth and Land Use (GR&LU), and Economic Impacts and Community Involvement (EC). Issues and actions associated with Implementation (IMP) are included in Chapter 6. The issues, actions and responsible parties are summarized in Tables 3-1, 3-2, 3-3, 3-4, 3-5, 3-6 and 3-7. The Planning Unit acknowledges that there will likely be insufficient funds to address all these issues during Phase IV of Watershed Planning. As a result, the Planning Unit prioritized issues for implementation by ranking all the issues. Issue prioritization is described further in Chapter 6.

3.1 Water Quantity

The water quantity issues addressed within this management plan are defined by the following problem statements. The Revised Code of Washington (RCW) justifying inclusion of the issues within this plan are noted for each issue.

QUANT-1: There is a need to characterize groundwater resources and hydraulic continuity between groundwater and surface water at a local scale in areas where growth and water supply are a potential concern. [RCW 90.82.070(1)(b)&(f)].

QUANT-2a: To effectively address competing water needs now and in the future, instream flow needs for the Pend Oreille River mainstem and the tributaries to the Pend Oreille River and Priest River Basin in WRIA 62 should be more fully understood in areas where water demand is expected to increase. [RCW 90.82.010; RCW 90.82.040 Notes: Finding-Intent-2001 c237; RCW 90.82.070(1)(b),(e),(g)&(2); RCW 90.82.080].

QUANT-2b: There is a need to ensure that the Watershed Planning Implementing Body is involved in instream flow studies, study recommendations and any instream flow rule-making in WRIA 62. [RCW 90.82.010; RCW 90.82.040 Notes: Finding-Intent-2001 c237; RCW 90.82.070(1)(b),(e),(g)&(2); RCW 90.82.080].

QUANT-3: Flood control. [RCW 90.82.040 Notes: Finding-Intent-2001 c237; RCW 90.82.070(3)].

QUANT-4: There is a need to promote water conservation, reclamation and reuse strategies in WRIA 62. [RCW 90.82.010; RCW 90.82.040 Notes: Finding-Intent-2001 c237; RCW 90.82.070(2)].

The following sections further develop these water quantity issues. Background information is included in Chapter 4. A summary of the water quantity issues, actions and responsible parties is provided in Table 3-1.

3.1.1 QUANT-1

Problem Statement: There is a need to characterize groundwater resources and hydraulic continuity between groundwater and surface water at a local scale in areas where growth and water supply are a potential concern.

Goal: To improve understanding of the groundwater resources and hydraulic continuity between groundwater and surface water at a local scale where needed in WRIA 62 to support water supply demand and population growth into the future.

Statute Justification: RCW 90.82.070(1)(b)&(f).

Management Action(s):

- QUANT 1-1** The Watershed Planning Implementing Body will explore the need to, and, if necessary, write grants or hire a grant writer. The objective of this action is to obtain funding to support technical studies to evaluate water resources and hydraulic continuity between surface water and groundwater at a local scale and in areas where growth and water supply are a potential concern. These areas

have been identified as the Calispell, Davis, Skookum, Kent and McCloud sub-basins and the mainstem of the Pend Oreille River from the Idaho state-line north to Ione (Figure 4.2).

3.1.2 QUANT-2a

Problem Statement: To effectively address competing water needs now and in the future, instream flow needs for the Pend Oreille River mainstem and the tributaries to the Pend Oreille River and Priest River Basin in WRIA 62 should be more fully understood in areas where water demand is expected to increase.

Goal: Establish study locations and collect instream flow information to address competing water needs in WRIA 62.

Statute Justification: RCW 90.82.010; RCW 90.82.040 Notes: Finding-Intent-2001 c237; RCW 90.82.070(1)(b),(e),(g)&(2); RCW 90.82.080.

Management Action(s):

QUANT 2a-1 The Watershed Planning Implementing Body will evaluate the need to conduct instream flow studies and where and how to conduct these studies to address competing water needs in WRIA 62. Priority locations for instream flow setting have been identified by the Watershed Planning Unit as the Calispell, Davis, Skookum, Kent and McCloud sub-basins. The Watershed Planning Unit acknowledges that instream flows may need to be developed for major tributaries in WRIA 62.

QUANT 2a-2 The Watershed Planning Implementing Body will develop a presentation for County Commissioners and other interested stakeholder groups. The presentation will include information on the following:

1. Current and future water use and water needs;
2. The purpose for conducting instream flow studies in WRIA 62;
3. An overview of instream flow methodologies and objectives;
4. Water reservations as per Chapter 173-590 WAC;
5. The relationship between instream flows, senior water rights, interruptible (junior) water rights, and water resources and supply;
6. Ecology's intent to develop instream flows statewide;
7. Ecology's position that new water rights may not be granted in sub-basins where instream flow needs are unknown and where there is a potential that water availability is limited; and,
8. The process by which instream flows are recommended and set in rule.

QUANT 2a-3 Watershed Planning Implementing Body will support establishment and continuation of stream flow monitoring to improve understanding of flows within the tributaries to the Pend Oreille River and the Priest River in WRIA 62 that are predicted to experience the greatest water demand in the future (i.e. the Calispell, Davis, Skookum, Kent and McCloud sub-basins). Available Phase IV funds may be used to support this effort along with other funds and in-kind services. The Kalispel Tribe has agreed to take on the responsibility of maintaining and

downloading the seven dataloggers at the stream gages that were installed in the Calispell, Davis, Skookum and Kent sub-basins during the Phase II assessment.

3.1.3 QUANT 2b

Problem Statement: There is a need to ensure that the Watershed Planning Implementing Body is involved in instream flow studies, study recommendations and any instream flow rule-making in WRIA 62.

Goal: To ensure that the Watershed Planning Implementing Body is involved in any processes in WRIA 62 to conduct minimum instream flow studies and that the Watershed Planning Implementing Body is involved in recommendations and rule-making resulting from minimum instream flow studies in WRIA 62.

Note: The Watershed Planning Unit agreed by consensus to address instream flow setting in the five sub-basins anticipated to experience the greatest population growth (i.e. the Calispell, Davis, Skookum, Kent and McCloud sub-basins) as a priority before considering other sub-basins in WRIA 62.

Statute Justification: RCW 90.82.010; RCW 90.82.040 Notes: Finding-Intent-2001 c237; RCW 90.82.070(1)(b),(e),(g)&(2); RCW 90.82.080.

Management Action(s):

QUANT2b-1 Obligate Ecology and WDFW to provide technical assistance to the Implementing Body during Phase IV of Watershed Planning to complete Step A (Scope of Work), Step B (Instream Flow Assessment - field work, analysis and reporting) and Step C (Negotiation of instream flows in a collaborative manner) for instream flows in WRIA 62 (following the collaborative manner described in RCW 90.82.080).

Note:

Ecology will not be obligated to provide technical assistance that involves actual field work, analysis or reporting. Ecology does agree to be obligated to provide technical assistance with the review of documents (scopes of work, analyses, reports etc.) as well as to collaborate with the Implementing Body during the negotiation of flow recommendations. Ecology also clarified that it cannot take on the obligation to involve the WRIA 62 planning entity in instream flow studies that may occur after Phase IV Implementation. It will be the responsibility of the Watershed Planning Implementing Body to make recommendations to Ecology at the end of the Phase IV if this situation is anticipated.

WDFW agree to be obligated to provide technical assistance to the Watershed Planning Implementing Body for Steps A, B and C as priorities, funding and staff resources allow.

- QUANT2b-2** Recommend that the Legislature provide Ecology with additional funds for instream flow work for the Watershed Planning Implementing Body to use to complete instream flow studies in the collaborative manner described in RCW 90.82.080 during Phase IV of Watershed Planning.
- QUANT2b-3** The Watershed Planning Implementing Body will pursue funding to supplement implementation funds and will conduct instream flow studies in WRIA 62 at locations prioritized by the Watershed Planning Implementing Body with technical assistance from agencies (e.g., Ecology, WDFW) and qualified consultants.
- QUANT2b-4** Recommend that Ecology involve the Implementing Body with scoping instream flow studies if Ecology starts instream flow work in WRIA 62 during Phase IV of Watershed Planning. If Ecology starts instream flow work in WRIA 62 after Phase IV, recommend that Ecology involve the WRIA 62 watershed planning entity if it is still functioning.
- QUANT2b-5** After minimum instream flow rule making for the Pend Oreille River mainstem, the Watershed Planning Unit recommends that Ecology consider petitioning the Washington State Governor to write a letter to Congress to raise the minimum discharge from Albeni Falls Dam from 4,000 cfs to be equivalent to the minimum instream flow rule.

3.1.4 QUANT 3

Problem Statement: Flood control

Goal: To voice concerns about flooding in Pend Oreille County on local and regional forums related to flood control.

Statute Justification: RCW 90.82.040 Notes: Finding-Intent-2001 c237; RCW 90.82.070(3).

Management Action(s):

- QUANT3-1** The Watershed Planning Implementing Body will voice concerns regarding the impacts of flooding in Pend Oreille County and work with groups that influence the Pend Oreille River flow rates and water levels. These groups may include but are not limited to the Army Corps of Engineers, Northwest Power and Conservation Council, Bonneville Power Administration, Bureau of Reclamation, Seattle City Light, Pend Oreille Public Utility District, North Idaho Lakes Commission, Washington Department of Fish and Wildlife, Idaho Fish & Game, Pend Oreille County Diking Districts Nos. 1, 2 and 3 and the Federal Emergency Management Agency (FEMA).
- QUANT3-2** The Watershed planning Implementing Body will voice concerns regarding the impacts of flooding in Pend Oreille County to Washington's representative on the Technical Management Team (TMT) that addresses Columbia River dam and reservoir operations. Washington's representative on the TMT is currently Cindy LeFleur of WDFW.

QUANT3-3 The Watershed Planning Implementing Body will identify what changes to project operations could be implemented to improve conditions regarding flooding in Pend Oreille County.

3.1.5 QUANT 4

Problem Statement: There is a need to promote water conservation, reclamation and reuse strategies in WRIA 62.

Goal: To develop and promote water conservation, reclamation and reuse strategies that are relevant to WRIA 62 and support existing efforts.

Statute Justification: RCW 90.82.010; RCW 90.82.040 Notes: Finding-Intent-2001 c237; RCW 90.82.070(2).

Management Action(s):

QUANT4-1 Watershed Planning Implementing Body will create a sub-committee to support on-going efforts and coordinate future water conservation, reclamation and reuse efforts in WRIA 62.

QUANT4-2 Watershed Planning Implementing Body will identify and write grants to support development of water conservation, reclamation and reuse strategies that are relevant to WRIA 62 (including water conservation, reclamation and reuse strategies applicable to municipal / domestic water use, commercial and industrial water use and agricultural water use).

QUANT4-3 Watershed Planning Implementing Body will identify and write grants to support development, presentation and distribution of public education materials to promote water conservation, reclamation and reuse strategies that are relevant to WRIA 62.

QUANT4-4 The Pend Oreille Public Utility District No. 1 and Pend Oreille Conservation District will send information to the WRIA 62 residents to arrive at the beginning of July every year reminding people to conserve water over the drier summer months.

QUANT4-5 The Pend Oreille Public Utility District No. 1, Pend Oreille Conservation District and City of Newport will place notices in local papers, newsletters and/or on the radio reminding people to conserve water over the summer.

3.2 Water Quality

The water quality issues addressed within this management plan are defined by the following problem statements. The Revised Code of Washington (RCW) justifying inclusion of the issues within this plan are noted for each issue.

WQUAL-1: There is a need to develop a protocol to coordinate and ensure that WRIA 62 water quality data is provided for input into the Joint Stock Assessment Program (JSAP) database. [RCW 90.82.030(1)&(3); RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.090(1)&(7)].

WQUAL-2: Eurasian watermilfoil and other aquatic nuisance weeds pose a threat to native habitat and public safety in the Pend Oreille watershed. [RCW 90.82.090(2)].

WQUAL-3a: There is a need to participate in current and future Total Maximum Daily Load (TMDL) processes and provide input on TMDLs for tributary streams that originate within WRIA 62. [RCW 90.82.005; RCW 90.82.090(4)&(6)].

WQUAL-3b: There is a need to participate in the TMDL processes and provide input on TMDLs for the mainstem Pend Oreille River. [RCW 90.82.005; RCW 90.82.090(4)&(6)].

WQUAL-4a: The natural quality of drinking water provided to some communities does not meet Washington State secondary drinking water standards. [RCW 90.82.048(3); RCW 90.82.070(2); RCW 90.82.090(1)&(2)].

WQUAL-4b: There is a need to review wellhead protection plans throughout WRIA 62 and improve these plans as needed. [RCW 90.82.010; RCW 90.82.040 Notes: Finding-Intent-2001 c 237; RCW 90.82.048(3); RCW 90.82.070(2)].

WQUAL-5: The 303(d) list identifies impaired waterbodies and requires Washington State to work towards cleaning up impaired waterbodies and establishing TMDLs. However there is a need to identify an appropriate process to protect unimpaired waters in WRIA 62 that meet or exceed applicable water quality standards. [RCW 90.82.005; RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.090(2)&(7)].

The following sections further develop these water quality issues. Background information is included in Chapter 4. A summary of the water quality issues, actions and responsible parties is provided in Table 3-2.

3.2.1 WQUAL-1

Problem Statement: There is a need to develop a protocol to coordinate and ensure that WRIA 62 water quality data is provided for input into the Joint Stock Assessment Program (JSAP) database.

Goal: A comprehensive WRIA 62 water quality database will be accessible via the web and will have an active steward to maintain the database into the future. This database will be accessible to all users in the watershed and a system will be established for agencies and groups to submit data.

Statute Justification: RCW 90.82.030(1)&(3); RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.090(1)&(7).

Management Action(s):

- WQUAL 1-1** The Watershed Planning Unit recommends that the Kalispel Tribe enter WRIA 62 water quality data into the Joint Stock Assessment Program (JSAP) database. The Watershed Planning Unit also recommends that the Kalispel Tribe maintain the JSAP database and ensure that the data are available via the internet.
- WQUAL 1-2** The Watershed Planning Implementing Body will identify committed entities to submit water quality monitoring data on a regular basis to the Kalispel Tribe for incorporation into the JSAP database.
- WQUAL 1-3** The Watershed Planning Implementing Body will define a WRIA 62 monitoring and reporting protocol and will coordinate data to be submitted to the Kalispel Tribe for incorporation into the JSAP database.
- WQUAL 1-4** The Watershed Planning Implementing Body will keep up to date with water quality monitoring and protection activities within WRIA 62.

3.2.2 WQUAL-2

Problem Statement: Eurasian watermilfoil and other aquatic nuisance weeds pose a threat to native habitat and public safety in the Pend Oreille watershed.

Goal: Reduce Eurasian watermilfoil and other aquatic nuisance weeds in WRIA 62.

Statute Justification: RCW 90.82.090(2).

Management Action(s):

- WQUAL 2-1** With Pend Oreille County Weed Board as the lead agency, convene an aquatic plant management group and include members of the Watershed Planning Implementing Body who wish to be involved. This aquatic plant management group will identify and agree upon actions to reduce Eurasian watermilfoil and other aquatic nuisance weeds in WRIA 62. Contingent upon available funding, implementation of these actions and effectiveness monitoring will be supported by the Implementing Body during Phase IV of Watershed Planning. Support by the Implementing Body could include the use of implementation funds, grant monies or other outside funds.
- WQUAL 2-2** The Watershed Planning Unit recommends that the Pend Oreille County Weed Board establish and implement an aquatic nuisance weed public outreach and education program.

The following action, which is included in the Interim Integrated Aquatic Plant Management Plan (Pend Oreille County, 2003), has been identified by the WPU to be implemented by the Pend Oreille County Weed Board:

- a. Prepare and distribute public education materials (e.g., signs, leaflets, fliers) to educate residents and visitors on how they can prevent the spread of aquatic invasive plants. Review available public outreach and education

materials available from Ecology and create new materials where needed. Education will focus on prevention and management.

The following action, which is included in the Interim Integrated Aquatic Plant Management Plan (Pend Oreille County, 2003), has been identified by the WPU to be implemented by the Pend Oreille County Public Works Department:

- b. Establish a program/schedule for replacing signs at boat ramps to educate the public on the need to clean aquatic vegetation from water craft.

The following actions, which are not included in the Interim Integrated Aquatic Plant Management Plan (Pend Oreille County, 2003), have been identified by the WPU to be implemented by the Pend Oreille County Weed Board:

- c. Recommend that Pend Oreille County establish a “Milfoil Day” or other annual public event to increase awareness on prevention and management of milfoil and other aquatic nuisance weeds.
- d. Develop methods to educate river users who may not be local residents or property owners.
- e. Increase education at the County Fair by participation of agencies with fair booths including Pend Oreille Public Utility District, Pend Oreille Conservation District and Kalispel Tribe.

3.2.3 WQUAL-3a

Problem Statement: There is a need to participate in current and future TMDL processes and provide input on TMDLs for tributary streams that originate within WRIA 62.

Goal: Watershed Planning Implementing Body to participate in (interact and provide input to) the TMDL process for tributary streams that originate within WRIA 62 with the objective of improving water quality and/or removing tributary streams in WRIA 62 from the 303(d) list of impaired waters by meeting State and tribal (where appropriate) water quality standards.

Statute Justification: RCW 90.82.005; RCW 90.82.090(4)&(6).

Management Action(s):

WQUAL 3a-1 Watershed Planning Implementing Body will participate (interact, provide input to and coordinate with Ecology) in TMDL processes on tributary streams within WRIA 62.

WQUAL 3a-2 Watershed Planning Implementing Body will pursue funding for implementation strategies that come out of TMDL studies on tributary streams within WRIA 62.

3.2.4 WQUAL-3b

Problem Statement: There is a need to participate in the TMDL processes and provide input on TMDLs for the mainstem Pend Oreille River.

Goal: Watershed Planning Implementing Body to participate in (interact and provide input to) the TMDL processes for the mainstem of the Pend Oreille River with the objective of meeting State and tribal (where appropriate) water quality standards.

Statute Justification: RCW 90.82.005; RCW 90.82.090(4)&(6).

Management Action(s):

WQUAL 3b-1 The Watershed Planning Implementing Body will provide input to 303(d) listings in applicable waters of Washington, the Kalispel Tribe reservation and, where appropriate, Idaho.

WQUAL 3b-2 The Watershed Planning Implementing Body will coordinate with agencies and stakeholders to participate and provide input to TMDL development and implementation for Pend Oreille River in Washington, the Kalispel Tribe reservation and, where appropriate, Idaho.

WQUAL 3b-3 The Watershed Planning Unit strongly recommends that Ecology invite the Idaho Department of Environmental Quality (IDEQ) to develop a Memorandum of Understanding to address development and implementation of appropriate TMDLs for the Pend Oreille River in Washington and Idaho.

3.2.5 WQUAL-4a

Problem Statement: The natural quality of drinking water provided to some communities does not meet Washington State secondary drinking water standards.

Goal: Good quality drinking water provided to all communities in WRIA 62.

Statute Justification: RCW 90.82.048(3); RCW 90.82.070(2); RCW 90.82.090(1)&(2).

Management Action(s):

WQUAL 4a-1 Watershed Planning Implementing Body will communicate with Washington Department of Health (WDOH) to identify the water systems / communities in WRIA 62 that require assistance to improve drinking water quality. The Watershed Planning Implementing Body acknowledges that WDOH has expended effort and funds within WRIA 62 to improve the quality of water supplied to communities where needed. The intent of this strategy is to support WDOH's on-going efforts through the following actions (as appropriate):

- i. Purveyor education;
- ii. Well and water distribution system maintenance;
- iii. Water treatment; and,
- iv. Development of alternative sources.

The Watershed Planning Implementing Body will identify funding and technical assistance through WDOH to support these actions.

WQUAL 4a-2 The Watershed Planning Unit encourages WDOH to communicate with the Watershed Planning Implementing Body with respect to education and funding opportunities to assist water systems / communities in WRIA 62 that require assistance to improve drinking water quality.

3.2.6 WQUAL-4b

Problem Statement: There is a need to review wellhead protection plans throughout WRIA 62 and improve these plans as needed.

Goal: Assist communities with inadequate or no wellhead protection planning by identifying technical assistance and funding sources for education and preparation of wellhead protection plans.

Statute Justification: RCW 90.82.010; RCW 90.82.040 Notes: Finding-Intent-2001 c 237; RCW 90.82.048(3); RCW 90.82.070(2).

Management Action(s):

WQUAL 4b-1 The Watershed Planning Unit recommends that the Implementing Body support the Northeast Tri-County Health District and the WA Department of Health to conduct sanitary surveys of Group A and B water systems in WRIA 62.

WQUAL 4b-2 The Watershed Planning Unit recommends that Pend Oreille County consider including Group A and Group B Public Water System wellheads in Critical Areas Ordinance in future updates of the Comprehensive Plan and Critical Areas Ordinance. The Watershed Planning Implementing Body will assist Pend Oreille County as appropriate to include wellheads in Critical Areas Ordinance.

WQUAL 4b-3 The Watershed Planning Implementing Body will coordinate with WDOH and the Northeast Tri-County Health District to identify water systems that have not developed and/or are not adequately implementing a wellhead protection plan. The Watershed Planning Implementing Body will communicate with the operators of these systems and encourage them to obtain educational materials and technical assistance from water resource groups and agencies (e.g., Evergreen Rural Water, Washington Environmental Training Center (WETRC), WDOH, Northeast Tri-County Health District) to develop and/or implement wellhead protection plans.

3.2.7 WQUAL-5

Problem Statement: The 303(d) list identifies impaired waterbodies and requires Washington State to work towards clean up of impaired waterbodies and establishing TMDLs. However there is a need to identify an appropriate process to protect unimpaired waters in WRIA 62 that meet or exceed applicable water quality standards.

Goal: Maintain compliance with state and tribal (where appropriate) water quality standards and prevent degradation of waters that meet or exceed state water quality standards in WRIA 62.

Statute Justification: RCW 90.82.005; RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.090(2)&(7).

Management Action(s):

- WQUAL 5-1** The Watershed Planning Implementing Body will review Ecology's current water quality assessment and identify waterbodies within WRIA 62 to implement projects as appropriate and coordinated with other efforts, including:
- a. Projects that review and collect water quality data on WRIA 62 streams where data is lacking or needed;
 - b. Projects that identify and assess point and non-point sources of impairments, develop and implement restoration / mitigation plans and monitor effectiveness of efforts; and,
 - c. Projects that protect unimpaired / healthy streams.

- WQUAL 5-2** The Watershed Planning Implementing Body will provide support and seek funding for projects that promote the protection of unimpaired and improvement of impaired water bodies, including:
1. Support projects that review and collect water quality data on WRIA 62 streams where data is lacking or needed;
 2. Support projects that identify and assess point and non-point sources of impairments, develop and implement restoration / mitigation plans and monitor effectiveness of clean up efforts; and,
 3. Support projects that protect unimpaired / healthy streams.

- WQUAL 5-3** The Watershed Planning Implementing Body will identify support and funding to continue operation of pressure transducers and field water quality monitoring within Calispell, Davis, Skookum and Kent sub-basins. The Kalispel Tribe will take on the responsibility of maintaining and downloading the flow information from the seven stream gages that were installed in the Calispell, Davis, Skookum and Kent sub-basins during Phase II of Watershed Planning.

- WQUAL 5-4** The Watershed Planning Unit recommends that the Implementing Body implement the water quality monitoring plan developed in the Phase II Level 2 report. The recommendations of this plan are:
1. Coordinated TMDL development and implementation in WA and ID;
 2. Conduct biological and baseline monitoring in WRIA 62 sub-basins that drain from WA into ID;
 3. Conduct temperature studies on the Pend Oreille River between Box Canyon and Canada;

4. Develop water quality datasets that are comparable between WRIA 62 waterbodies;
5. Conduct water quality monitoring in sub-basins where population growth is predicted;
6. Develop and implement a stormwater program for urban areas;
7. Recommend Ecology upgrade the Metaline Falls monitoring site to a core monitoring location;
8. Increase the use of coordinated and comparable biological monitoring;
9. Require the use of water quality monitoring plans, Quality Assurance Project Plans (QAPPs) and comparable protocols;
10. Develop a WRIA 62 data management system; and,
11. Install freeze protection on automated equipment in WRIA 62 tributaries.

WQUAL 5-5 Recommend that Pend Oreille County consider any ordinances that may help reduce the impacts of population growth on water quality (e.g., aquifer recharge areas in critical areas ordinance).

3.3 Habitat

The habitat issues addressed within this management plan are defined by the following problem statements. The Revised Code of Washington (RCW) justifying inclusion of the issues within this plan are noted for each issue.

H-1: There is a need to continue coordination of aquatic habitat programs within WRIA 62. [RCW 90.82.030(3); RCW 90.82.100].

H-2: Invasion of noxious terrestrial weeds has the potential to degrade water quality and terrestrial, riparian and aquatic habitats by increasing water yield runoff and preventing the establishment of native vegetation. [RCW 90.82.090(2)].

H-3a: River bank erosion along the mainstem of the Pend Oreille River is resulting in degraded riparian habitat and water quality. The causes of erosion need to be confirmed and mitigated. [RCW 90.82.090(2); RCW 90.82.110].

H-3b: Stream bank erosion in WRIA 62 along tributaries to the Pend Oreille River is resulting in degraded riparian habitat and water quality. The causes of stream bank erosion need to be confirmed and mitigated. [RCW 90.82.090(2); RCW 90.82.110].

The following section further develops these habitat issues. Background information is included in Chapter 4. A summary of the habitat issues, actions and responsible parties is provided on Table 3-3.

3.3.1 H-1

Problem Statement: There is a need to continue coordination of aquatic habitat programs within WRIA 62.

Goal: Ensure WRIA-wide coordination (including members of the public and agencies) of aquatic habitat programs. Note that projects involving the management of fish populations will not be addressed by the Watershed Planning Implementing Body.

Statute Justification: RCW 90.82.030(3); RCW 90.82.100.

Management Action(s):

H 1-1 The Watershed Planning Implementing Body will coordinate with the Pend Oreille Salmonid Recovery Team and other habitat programs per RCW 90.82.100.

3.3.2 H-2

Problem Statement: Invasion of noxious terrestrial weeds has the potential to degrade water quality and terrestrial, riparian and aquatic habitats by increasing water yield runoff and preventing the establishment of native vegetation.

Goal: Provide education on the prevention and mitigation of noxious terrestrial weeds in WRIA 62.

Statute Justification: RCW 90.82.090(2).

Management Action(s):

- H 2-1** Pend Oreille County Weed Board will develop and distribute public education materials (e.g., signs, leaflets, fliers, BMPs) to educate residents, developers and construction workers on how they can prevent the spread of noxious terrestrial weeds.
- H 2-2** The Pend Oreille County Weed Board will coordinate with interested landowners and managers to survey lands on a regular basis (at 4-year intervals) and use management tools (shovel, pulaski, backpack sprayer with herbicide) to remove small amounts of noxious weeds found at the time of the surveys.
- H 2-3** The Pend Oreille County Weed Board will develop management implementation plans (including prioritization of lands) with interested landowners for larger noxious weed populations.
- H 2-4** The Watershed Planning Implementing Body will assist the Pend Oreille County Weed Board to identify support (funding, in-kind and volunteer services) to help with implementation of the Pend Oreille County biocontrol program.

3.3.3 **H-3a**

Problem Statement: River bank erosion along the mainstem of the Pend Oreille River is resulting in degraded riparian habitat and water quality. The causes of erosion need to be confirmed and mitigated.

Goal: To identify the causes of river bank erosion along the mainstem of the Pend Oreille River and work to minimize river bank erosion in the future.

Statute Justification: RCW 90.82.090(2); RCW 90.82.110.

Management Action(s):

- H 3a-1** Watershed Planning Implementing Body will develop a scope of work for a technical study to identify the causes of river bank erosion along the Pend Oreille River in WRIA 62. The study will include review and prioritization of areas where there is concern and will identify mitigation / stabilization alternatives.
- H 3a-2** Watershed Planning Implementing Body will develop and implement a public education program to improve understanding of bank erosion along the mainstem of the Pend Oreille River.
- H 3a-3** Watershed Planning Implementing Body will compile reasonable bank stabilization strategies for landowners along the mainstem of the Pend Oreille River and provide education and assistance to landowners to implement these strategies (current Natural Resource Conservation Service (NRCS) specifications for bank stabilization are overwhelming to most landowners).
- H 3a-4** Watershed Planning Implementing Body will review shoreline plans and comprehensive plans for bank erosion mitigation strategies and will make

recommendations to local governments on bank stabilization strategies for inclusion within the Shoreline Master Programs and the Pend Oreille County Comprehensive Plan.

3.3.4 H-3b

Problem Statement: Stream bank erosion in WRIA 62 along tributaries to the Pend Oreille River is resulting in degraded riparian habitat and water quality. The causes of stream bank erosion need to be confirmed and mitigated.

Goal: Substantiate the causes of stream bank erosion along tributaries to the Pend Oreille River and minimize stream bank erosion in the future.

Statute Justification: RCW 90.82.090(2); RCW 90.82.110.

Management Action(s):

- H 3b-1** Watershed Planning Implementing Body will develop a scope of work for a technical study to identify the causes of stream bank erosion along the tributaries to the Pend Oreille River in WRIA 62. The study will include review of prioritization of areas where there is more interest / concern and will identify mitigation / stabilization alternatives.
- H 3b-2** Watershed Planning Implementing Body will develop and implement a public education program to improve understanding of bank erosion along the tributaries to the Pend Oreille River.
- H 3b-3** Watershed Planning Implementing Body will compile reasonable stream bank stabilization strategies for landowners along the tributaries to the Pend Oreille River and provide education and assistance to landowners to implement these strategies (current NRCS specifications for bank stabilization are overwhelming to most landowners).
- H 3b-4** Watershed Planning Implementing Body will review shoreline plans and comprehensive plans for stream bank erosion mitigation strategies and will make recommendations to local government on bank stabilization strategies for inclusion within the Shoreline Master Programs and the Pend Oreille County Comprehensive Plan.

3.4 Water Rights

The water rights issues addressed within this management plan are defined by the following problem statements. The Revised Code of Washington (RCW) justifying inclusion of the issues within this plan are noted for each issue.

WR-1: There is currently limited opportunity for the local community to provide recommendations to the Department of Ecology in the processing of water rights transfers, changes, applications and relinquishments. [RCW 90.82.005; RCW 90.82.010; RCW 90.82.030(1); RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.040 Notes: Finding-Intent-2001 c 237; RCW 90.82.070(2)&(3)].

WR-2: When future minimum instream flows are established, any new water rights that are junior to the minimum instream flows may be restricted when minimum instream flows are not met. There is a need to quantify water available for future allocation and/or reservation. [RCW 90.82.005; RCW 90.82.010; RCW 90.82.030(1); RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.040 Notes: Finding-Intent-2001 c 237; RCW 90.82.070(1)(g)&(2); RCW 90.82.120].

The following sections further develop these water rights issues. Background information is included in Chapter 4. A summary of the water rights issues, actions and responsible parties is provided in Table 3-4.

3.4.1 WR-1

Problem Statement: There is currently limited opportunity for the local community to provide recommendations to the Department of Ecology in the processing of water rights transfers, changes, applications and relinquishments.

Goal: To ensure water rights transfers, changes, applications and relinquishments are processed with community input and in a timely fashion.

Statute Justification: RCW 90.82.005; RCW 90.82.010; RCW 90.82.030(1); RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.040 Notes: Finding-Intent-2001 c 237; RCW 90.82.070(2)&(3).

Management Action(s):

- WR 1-1** The Watershed Planning Implementing Body will:
- a) Coordinate with WRIA 55 (the Little Spokane River watershed); and,
 - b) Evaluate the future need for a regional Spokane / Pend Oreille County Water Conservancy Board and/or Water Trust / Bank.
- WR 1-2** The Watershed Planning Unit recommends that the Legislature allocate funds to provide financial incentives to those who wish to relinquish unused allocated water.
- WR 1-3** The Watershed Planning Implementing Body will evaluate the need to recommend to the Legislature a change in the “use-it or lose-it” time frame (Chapter 90.14 RCW) for water rights from 5 years to 20 years. This would involve a statute change to Chapter 90.14 RCW.

- WR 1-4** The Watershed Planning Unit recommends that the Legislature allow the unused portions of irrigation water rights to be banked. This would be a conservation incentive. This would involve a statute change in Chapter 90.14 RCW.

3.4.2 WR-2

Problem Statement: When future minimum instream flows are established, any new water rights that are junior to the minimum instream flows may be restricted when minimum instream flows are not met. There is a need to quantify water available for future allocation and/or reservation.

Goal: To provide certainty in supplying water for future growth via a water reservation for sub-basins with high projected population growth and available water.

Statute Justification: RCW 90.82.005; RCW 90.82.010; RCW 90.82.030(1); RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.040 Notes: Finding-Intent-2001 c 237; RCW 90.82.070(1)(g)&(2); RCW 90.82.120.

Management Action(s):

- WR 2-1** Watershed Planning Implementing Body to explore the concept of a water reservation (per Chapter 173-590 WAC) for future growth (including domestic exempt well use, irrigation, industrial, commercial and municipal water use) in the WRIA 62 sub-basins that are expected to experience the highest population growth (i.e., the Calispell, Davis, Skookum, Kent and McCloud sub-basins) and where other water resources may not be available (i.e. outside water purveyor service areas).
- WR 2-2** The Watershed Planning Unit recommends that the Legislature provide for in-house domestic and normal stock water withdrawal from domestic exempt wells (withdrawal less than 5,000 gallons per day as defined in RCW 90.44.050) when water use is restricted as a result of instream flow regulation.

Note: "In-house domestic use" means use of water for drinking, cleaning, sanitation, and other uses in a residence, excluding irrigation of lawn and garden.

3.5 Growth and Land Use Planning

The growth and land use planning issues addressed within this management plan are defined by the following problem statements. The Revised Code of Washington (RCW) justifying inclusion of the issues within this plan are noted for each issue.

GR&LU-1: There is a need to integrate information on current and projected water supply and demand with land use. [RCW 90.82.005; RCW 90.82.010; RCW 90.82.030(1); RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.040 Notes: Finding-Intent-2001 c 237; RCW 90.82.048(3); RCW 90.82.070(2)].

GR&LU-2a: There is a need to identify and assess locations and associated management practices of livestock operations that utilize riparian areas. [RCW 90.82.010; RCW 90.82.090(2); RCW 90.82.110].

GR&LU-2b: There is a continued need for funding of education and program implementation related to livestock management in riparian areas. [RCW 90.82.010; RCW 90.82.090(2); RCW 90.82.110].

GR&LU-3: Road building and improper maintenance can negatively impact water quality and aquatic habitat. [RCW 90.82.005; RCW 90.82.090(2)&(7); RCW 90.82.110; RCW 90.82.120(3)].

GR&LU-4: The Pend Oreille County Shoreline Master Program needs to be updated. [RCW 90.82.005; RCW 90.82.120(1)&(2)].

The following sections further develop these growth and land use planning issues. Background information is included in Chapter 4. A summary of the growth and land use planning issues, actions and responsible parties is provided in Table 3-5.

3.5.1 GR&LU-1

Problem Statement: There is a need to integrate information on current and future projected water supply and demand with land use.

Goal: To integrate data on water availability and water supply needs (water rights and current and projected water use information) into county, town and city planning processes.

Statute Justification: RCW 90.82.005; RCW 90.82.010; RCW 90.82.030(1); RCW 90.82.040 Notes: Findings-2003 1st sp.s.c 4; RCW 90.82.040 Notes: Finding-Intent-2001 c 237; RCW 90.82.048(3); RCW 90.82.070(2).

Management Action(s):

GR&LU 1-1 The Watershed Planning Unit recommends that a representative of the Watershed Planning Implementing Body be involved with the County Planning Commission and County comprehensive planning processes.

GR&LU 1-2 The Watershed Planning Implementing Body will assess available water supply in the areas expected to experience the most population growth (i.e. the Calispell, Davis, Skookum, Kent and McCloud sub-basins). Note that improved

understanding of streamflows is needed to determine water availability in these sub-basins.

- GR&LU 1-3** The Watershed Planning Unit recommends that the Watershed Planning Implementing Body assist Pend Oreille County in addressing Critical Areas ordinance and updating the shorelines master program.
- GR&LU 1-4** The Watershed Planning Unit recommends that findings from the Phase II technical assessments and water needs assessment (see GR&LU 1-2) are integrated into local water system plans and county, city and town land use plans and shoreline master programs.
- GR&LU 1-5** The Watershed Planning Unit recommends that Pend Oreille County consider water supply information when updating land use designations to ensure consistency between the Comprehensive Plan land use designations and the WRIA 62 Watershed Management Plan technical findings and recommendations.
- GR&LU 1-6** The Watershed Planning Unit recommends that Pend Oreille County require proof of water availability from the applicant prior to amending Urban Growth Area (UGA) boundaries. The proposal for expansion should include documentation of the ability of the city / town / development (if it is to be self-served) to provide adequate water. Burden of proof is on the applicant. Domestic wells of 5,000 gallons per day or less serving one household are not included in this burden of proof.
- GR&LU 1-7** The Watershed Planning Implementing Body will coordinate sub-basin specific water supply needs with alternative water supply options including reuse, reclamation, and conservation (e.g., development of a regional water supply using water withdrawn from the Pend Oreille River and treated).

3.5.2 GR&LU-2a

Problem Statement: There is a need to identify and assess locations and associated management practices of livestock operations that utilize riparian areas.

Goal: To identify and assess the locations and associated management practices of livestock operations which utilize riparian areas and prepare an action plan.

Statute Justification: RCW 90.82.010; RCW 90.82.090(2); RCW 90.82.110.

Management Action(s):

- GR&LU 2a-1** Pend Oreille Conservation District and NRCS will coordinate with local land management agencies, agricultural groups, landowners, etc., to identify individuals or groups that utilize riparian areas for livestock operations.
- GR&LU 2a-2** The Watershed Planning Implementing Body will pursue funding to conduct research to identify and assess livestock management methods in riparian areas utilized for livestock operations.

GR&LU 2a-3 The Watershed Planning Implementing Body will support utilizing GIS to develop map layers which include livestock ownerships, locations and management methods within riparian areas.

GR&LU 2a-4 Pend Oreille Conservation District and NRCS will prepare an action plan. All entities involved with grazing in riparian areas should be involved with development of this action plan.

3.5.3 GR&LU-2b

Problem Statement: There is a continued need for funding of education and program implementation related to livestock management in riparian areas.

Goal: To provide outreach / education to those in WRIA 62 managing livestock in riparian areas and to identify programs / funding to provide assistance for projects to minimize the impacts of managing livestock in riparian areas.

Statute Justification: RCW 90.82.010; RCW 90.82.090(2); RCW 90.82.110.

Management Action(s):

GR&LU 2b-1 Pend Oreille Conservation District and NRCS will develop and distribute outreach and educational materials.

GR&LU 2b-2 Pend Oreille Conservation District and NRCS will promote and assist landowners in applying for cost-share programs such as the WDFW Landowner Incentive Program (LIP), NRCS Environmental Quality Incentive Program (EQIP), NRCS Wildlife Habitat Incentive Program (WHIP), NRCS Wetland Reserve Program (WRP), USDA Sustainable Agriculture Research and Education (SARE) Program Producer Grant Program, USFWS Partners for Fish and Wildlife and Private Stewardship Grants, USDA Farm Service Administration Conservation Reserve Program (CRP), Ecology's 319 funds (for non-point source water quality issues), and other relevant cost share programs available for livestock management in riparian areas.

GR&LU 2b-3 Pend Oreille Conservation District and NRCS will promote land management technical assistance programs such as the NRCS Conservation of Private Grazing Land Program and the Grazing Lands Conservation Initiative, as well as technical assistance through the USFWS, USFS, WDFW, KNRD, BLM and Pend Oreille Conservation District.

GR&LU 2b-4 Pend Oreille Conservation District and NRCS will coordinate with the Pend Oreille Salmonid Recovery Team (Chapter 77.85 RCW) on education grants to educate private landowners on the benefits of livestock management in riparian areas and grants available to fund related projects.

3.5.4 GR&LU-3

Problem Statement: Road building and improper maintenance can negatively impact water quality and aquatic habitat.

Goal: To minimize the water quality impacts of Federal, State, County, City, Town and private road building and maintenance.

Statute Justification: RCW 90.82.005; RCW 90.82.090(2)&(7); RCW 90.82.110; RCW 90.82.120(3).

Management Action(s):

GR&LU 3-1 The Watershed Planning Implementing Body will support on-going and future programs and/or multiple entity projects on lands in WRIA 62 to identify and address road maintenance problems. Supported strategies may include but are not limited to:

- Identification of road segments near water supply wells that have the potential to impact the quality of water supplied by the wells;
- Erosion control for existing and planned road segments;
- Culvert replacement / improvements;
- Relocating / removing / reconstructing road segments out of riparian areas; and,
- Education at all levels (public and government).

Support may be in the form of watershed planning implementation funds, in-kind services and support of applications for funding from other entities. The Watershed Planning Implementing Body will assist the entity conducting the work to communicate information on problem areas to the appropriate agencies (e.g., Pend Oreille County, WDOT, Ecology, WDFW, WDOH and the Northeast Tri-County Health Department).

GR&LU 3-2 The Watershed Planning Implementing Body will research and follow the pilot study that Ecology is working on with WDOT and WDFW, currently referred to as the Transportation Permit Efficiency and Accountability Committee (TPEAC). If this approach appears appropriate, work with Ecology to apply this process to State and County roads in WRIA 62.

GR&LU 3-3 Watershed Planning Unit requests assistance and guidance as needed from technical agencies (Ecology, WDOT, DNR, WDFW, Pend Oreille County) to minimize impacts of road building and improper maintenance in WRIA 62. This technical assistance may include but is not limited to: 1) public education; and 2) on-the-ground assistance as needed locally.

GR&LU 3-4 The Watershed Planning Unit recommends that Ecology provide additional on-the-ground support to ensure BMPs (for road building and maintenance) are being implemented in WRIA 62 for projects less than 5 acres (including use of BMPs for decontamination of heavy equipment and use of clean fill to minimize invasion of noxious weeds as per issue H-2). This would involve Ecology staff

involvement at the planning and implementation stages of a road building / maintenance project.

GR&LU 3-5 The Watershed Planning Implementing Body will become involved in revisions to the Colville National Forest Plan.

3.5.5 GR&LU-4

Problem Statement: The Pend Oreille County Shoreline Master Program needs to be updated.

Goal: Update the Pend Oreille County Shoreline Master Program by the end of 2012.

Statute Justification: RCW 90.82.005; RCW 90.82.120(1)&(2).

Management Action(s):

GR&LU 4-1 The Watershed Planning Unit recommends that Pend Oreille County, with assistance from the Watershed Planning Implementing Body, apply for funding from Ecology and other outside sources to update the Pend Oreille County Shoreline Master Program prior to the 2012 Ecology deadline.

3.6 Economic Impacts and Community Involvement

The issues related to economic impacts of this watershed plan and community involvement are defined by the following problem statements. The Revised Code of Washington (RCW) justifying inclusion of the issues within this plan are noted for each issue.

EC-1a: There are insufficient resources to support implementation of all the actions in this plan. [RCW 90.82.010].

EC-1b: There is a need to identify and inform local communities about resources to assist local communities in complying with water regulation. [RCW 90.82.010].

EC-2: There is a need to ensure meaningful community input into water regulations. [RCW 90.82.005; RCW 90.82.010; 90.82.030(1)].

The following sections further develop these issues. Background information is included in Chapter 4. A summary of the economic impact issues, actions and responsible parties is provided in Table 3-6.

3.6.1 EC-1a

Problem Statement: There are insufficient resources to support implementation of all the actions in this plan.

Goal: To obtain resources in addition to the current Washington State Watershed Planning Implementation funding to support implementation of Plan actions.

Statute Justification: RCW 90.82.010.

Management Action(s):

- EC 1a-1** The Watershed Planning Implementing Body will employ a grant writer to help obtain additional funds for implementation of watershed planning recommendations.
- EC 1a-2** The Watershed Planning Unit recommends that the Legislature provide additional funds to be used in Phase IV of Watershed Planning to help finance proposed actions.
- EC 1a-3** The Watershed Planning Implementing Body will encourage local agencies and volunteer services to finance the 10% match required for use of implementation funds.
- EC 1a-4** The Watershed Planning Unit recommends that the Legislature modify Chapter 90.82 RCW to make supplemental funds (available in Phase II for water quality, storage and instream flow) available in Phase IV implementation for water quality, storage and instream flow studies.

3.6.2 EC-1b

Problem Statement: There is a need to identify and inform local communities about resources to assist local communities in complying with water regulation.

Goal: Local community understanding of and compliance with water regulation in WRIA 62.

Statute Justification: RCW 90.82.010.

Management Action(s):

- EC 1b-1** The Watershed Planning Implementing Body will identify or develop relevant water-related laws and regulations and will develop outreach materials and an outreach mechanism to educate members of the public on how to effectively comply with water-related laws and regulations.
- EC 1b-2** The Watershed Planning Implementing Body will convene a sub-committee as needed to:
- a) Identify state rules that the WRIA 62 communities could be exempt from, due to size and limited economic resources; and,
 - b) Develop specific requests for the regulatory authorities to supply economic impact information for distribution to local communities.
- EC 1b-3** The Watershed Planning Unit encourages WRIA 62 agencies to use local resources where applicable.

3.6.3 EC-2

Problem Statement: There is a need to ensure meaningful community input into water regulations.

Goal: Promote meaningful local input into development of water related regulations.

Statute Justification: RCW 90.82.005; RCW 90.82.010; 90.82.030(1).

Management Action(s):

- EC 2-1** The Watershed Planning Implementing Body will develop and keep up-to-date a list of processes where local input is required, encouraged or allowed. The Watershed Planning Implementing Body will provide this information to WRIA 62 residents (e.g., a regular “What’s Coming” column in the local paper).
- EC 2-2** The Watershed Planning Implementing Body will develop and implement mechanisms to improve local input into water related law, policy and regulations (i.e., educate the public about the various processes that include public input and develop specific actions to improve public participation).

4.0 BACKGROUND AND RATIONALE FOR PLANNING ISSUES AND MANAGEMENT ACTIONS

The purpose of this chapter is to provide the background and rationale for the issues and management actions presented in Chapter 3. Where appropriate, the reader is referred to supporting technical information, including the information contained with the Phase II technical compilation and assessment documents (Entrix, 2002; GeoEngineers, 2004; Golder, 2005). This chapter is divided into six sections consistent with the Planning Unit's issue categories: Water Quantity; Water Quality; Habitat; Water Rights; Growth and Land Use Planning; and, Economic Impacts and Community Involvement. Implementation issues and actions are addressed in Chapter 6.

4.1 Background and Rationale for Water Quantity Issues

The following sections provide background information for each of the water quantity issues.

4.1.1 QUANT-1 Background and Rationale

Problem Statement: There is a need to characterize groundwater resources and hydraulic continuity between groundwater and surface water at a local scale in areas where growth and water supply are a potential concern.

The geology of a watershed or sub-basin controls to a large extent where groundwater occurs, how groundwater moves and if groundwater is available for water supply. The geology also has a controlling influence on hydraulic continuity which is the hydraulic interaction between groundwater and surface water within a watershed (Ecology, 1998a). A hydrogeologic unit can be characterized as either an aquitard (also referred to as a confining unit) or an aquifer. An aquitard is a low permeability unit (such as clay) that restricts the movement of groundwater. An aquifer comprises saturated, permeable geologic units that are capable of transmitting useable quantities of water.

The most important geologic units in WRIA 62 in terms of groundwater supply potential are the coarse grained sediments deposited by glaciers and fluvial sediments deposited by the present and ancestral Pend Oreille River and its tributaries. The Tiger Formation sediments and the Metaline Formation limestones and dolomites may also provide limited groundwater supply due to their coarse grain size and dissolution features, respectively. Figure 4.1 illustrates the surface location of these units and highlights the areas where coarse grained unconsolidated sediments occur.

Characterization of the hydrogeology of WRIA 62 is included in the Phase II, Level 2 Technical Assessment for WRIA 62 (Golder, 2005). The following points, taken from this report, are relevant to this issue:

- The unconsolidated sand and gravel aquifers in WRIA 62 are generally unconfined and located along the Pend Oreille River valley and adjacent to Pend Oreille River tributaries at lower elevations in the WRIA (Figure 4.1).
- Groundwater supplies adequate to supply domestic uses are available locally from the coarse grained, unconsolidated sediments (including glacial and non-glacial sands and gravels).
- Groundwater supply wells completed in these unconsolidated sand and gravel aquifers are generally less than 100 feet in depth.

- Since most of the groundwater supply wells completed in the unconsolidated sand and gravel aquifers in WRIA 62 are shallow and relatively close to surface water, there is a potential that some of these wells are under the influence of surface water. Ultimately, these wells will have to comply with guidelines set forth by Washington State DOH (DOH, 2003).
- For both the Pend Oreille River and its tributaries, site specific information, such as baseflow hydrograph evaluation and seepage runs, may be needed to make determinations on the nature of the hydraulic interaction between surface water and groundwater.

Based on population projections, the highest population growth rates (and therefore anticipated future water demand) are predicted to occur within the southern sub-basins, including Calispell, Davis, Skookum, Kent and McCloud and along the mainstem of the Pend Oreille River from the Idaho state-line north to the Ione (Figure 4.2). It is therefore these areas where population growth and water supply are expected to be a potential concern.

Appropriation of water from the WRIA 62 sub-basins are limited by Ecology administered surface water source limitations (SWSLs) pursuant to RCW 77.55.050 which states,

“It is the policy of this state that a flow of water sufficient to support game fish and food fish populations be maintained at all times in the streams of this state. The director of ecology shall give the director notice of each application for a permit to divert or store water. The director has thirty days after receiving the notice to state his or her objections to the application. The permit shall not be issued until the thirty-day period has elapsed. The director of ecology may refuse to issue a permit if, in the opinion of the director, issuing the permit might result in lowering the flow of water in a stream below the flow necessary to adequately support food fish and game fish populations in the stream. The provisions of this section shall in no way affect existing water rights.”

Those streams on Ecology’s Surface Water Source Limited (SWSL) list in WRIA 62 have been identified to have limitations in available water supply as a result of fisheries concerns. The WRIA 62 streams on the SWSL list are included on Table 4-1 and illustrated on Figure 4.3. In addition, WDFW has recommended that Ecology not grant water rights that have the potential to impact small streams with less than 5 cfs mean annual flow or water rights from the mainstem of the Pend Oreille River when the seven-day low flow falls below 7,700 cfs. As shown on Figure 4-3 and Table 4-1, the Calispell, Davis and Skookum sub-basins are considered to have “limitations” with respect to available water supply and are on the SWSL list. In addition the available flow records for Kent and McCloud Creeks (Golder, 2005) indicate that the mean annual flows of these streams are less than 5 cfs. So, in effect, the sub-basins where growth is anticipated in WRIA 62 are closed to further appropriation by SWSLs unless the appropriation of the water can be shown not to impact surface water pursuant to RCW 77.55050.

The majority of the hydrogeologic information reviewed and assessed within Phase II of the watershed planning process is not sufficiently detailed to completely quantify groundwater resources. However, conceptual hydrologic and hydrogeologic models can be used to establish hydraulic continuity in many situations. Groundwater withdrawals, including domestic exempt wells, must not impair senior water rights nor affect the flow of any surface water body (RCW 90.44.030). In addition, Ecology considers groundwater to be in continuity with surface water in a sub-basin with surface water

restrictions unless a study can adequately prove otherwise¹. The WPU therefore acknowledges that site-specific studies to characterize the nature of the hydraulic interaction between groundwater and surface water may be needed where groundwater supply to support population growth has the potential to impact surface water.

4.1.2 QUANT-2a Background and Rationale

Problem Statement: To effectively address competing water needs now and in the future, instream flow needs for the Pend Oreille River mainstem and the tributaries to the Pend Oreille River and Priest River Basin in WRIA 62 should be more fully understood in areas where water demand is expected to increase.

Competing water needs, both in stream and out of stream, include water needs for municipal / domestic, agricultural, industrial and commercial supply as well as water needs to protect terrestrial and aquatic biota.

As described in Section 4.1.1 above, the highest population growth rates (and therefore the areas where water demand is expected to increase in the future) are predicted to occur within the southern sub-basins, including Calispell, Davis, Skookum, Kent and McCloud and along the mainstem of the Pend Oreille River from the Idaho state-line north to the Town of Ione (Figure 4.2).

In order to understand and quantify if water is available for future appropriation within these areas, the Watershed Planning Unit agreed during the Phase II technical assessment that stream flow information is needed for the southern sub-basins that are expected to experience the highest population growth rates. As a component of Phase II, the Watershed Planning Unit contracted collection of stream flow data between June 2003 and June 2004 at seven locations within the southern sub-basins of Calispell, Davis, Skookum and Kent (GeoEngineers, 2004). The locations of the surface water monitoring sites are shown on Figure 4.4. The Kalispel Tribe agreed to take on the responsibility of maintaining and downloading data from these seven stream gages during Phase IV. The Watershed Planning Unit agreed that sufficient flow information exists for the mainstem of the Pend Oreille River. Flow information for the mainstem of the Pend Oreille River is summarized in the Phase II, Level 1 and Level 2 reports (Entrix, 2002; Golder, 2005).

It is the intent of the Watershed Planning Unit to continue data collection within the southern sub-basins during Phase IV implementation with the support of the Implementing Body and contingent upon available funding. It is the intent of the Watershed Planning Unit that this information be used to support development of instream flows for these sub-basins in the future.

The second aspect of this issue is that the Watershed Planning Unit agrees that their priority for instream flow setting is the southern sub-basins of Calispell, Davis, Skookum, Kent and McCloud since it is these sub-basins that are anticipated to experience population growth and therefore increased water demand in the future. It is the intent of the Watershed Planning Unit through this management plan, to encourage Ecology to set instream flows within these WRIA 62 sub-basins as a priority. Since these sub-basins are essentially closed to further appropriation by Ecology administered SWSLs (see Section 4.1.1 above), the Watershed Planning Unit feels it is important to develop scientifically based instream flows for these sub-basins to determine if there is water available within these areas to support future growth. If instream studies indicate that water is

¹ See Washington Supreme Court decision Postema v. Pollution Control Hearings Board, 142 Wn.2d 68, 93 (2000) which determined that Ecology may deny/condition water rights where there is hydraulic continuity and impairment of existing surface rights including instream flow.

available, it is the intent of the Watershed Planning Unit to consider reserving this available water through establishment of a water reservation for future public water supply pursuant to Chapter 173-590 WAC. A copy of Chapter 173-590 WAC is included in Appendix F1. If instream flow studies indicate that water is not available for further appropriation during all or at particular times of the year, it is the intent of the Watershed Planning Unit to consider mitigation and alternative water supply management options such as water conservation, reclamation and reuse, water storage¹, water rights transfers, water banking and development of alternate supplies (such as the mainstem of the Pend Oreille River). The Watershed Planning Unit considers this the first step in a sequential process.

The Watershed Planning Unit acknowledges that instream flows may need to be developed for major tributaries within WRIA 62 to get a complete picture of water needs and water availability. In addition to the tributaries in the Planning Unit's priority sub-basins, i.e. Calispell Creek, Davis Creek, Skookum Creek (both forks), Kent Creek and McCloud Creek, these include (in no order of priority) Indian Creek, Cee Cee Ah Creek, Mill Creek, Middle Creek, LeClerc Creek (all branches), Sullivan Creek, Flume Creek, Lunch/Sweet Creek, Cedar Creek, Big Muddy Creek, Little Muddy Creek, Lost Creek, SF Lost Creek, Tacoma Creek, Trimble Creek, Cusick Creek, Marshall Creek, Lower West Branch Priest River, Kalispell Creek, Granite Creek, Maitlen Creek, Gardiner Creek, and Harvey Creek. There are a few streams in WRIA 62 that are intermittent (i.e. are dry in summer months) in the headwaters, along sections or along their entire length. Whether or not these streams are intermittent in any particular year, depends upon the local climate and hydrogeology.

4.1.3 QUANT-2b Background and Rationale

Problem Statement: There is a need to ensure that the Watershed Planning Implementing Body is involved in instream flow studies, study recommendations and any instream flow rule-making in WRIA 62.

Administrative rules regarding instream flows in WRIA 62 have not been established by Ecology in accordance with Chapter 173-500 WAC. In addition, during the watershed planning process the Watershed Planning Unit and Pend Oreille County Commissioners could not agree by consensus to take on the optional Phase II instream flow component. House Bill (HB) 1832 states that the funding for instream flow studies should be a priority and that Ecology will conduct instream flow assessments in areas where stakeholders have chosen not to address this component. RCW 90.82.040(2)(a)(iii)(c) states, "If the initiating governments for a planning unit elect not to establish or amend instream flows as part of the unit's planning process, the department [of Ecology] shall retain one hundred thousand dollars to carry out an assessment to support establishment of instream flows and to establish such flows in accordance with RCW 90.54.020(3)(a) and Chapter 90.22." Chapter 90.22 RCW is included in Appendix F2. RCW 90.54.020(3)(a) states:

(3) The quality of the natural environment shall be protected and, where possible, enhanced as follows:

(a) Perennial rivers and streams of the state shall be retained with base flows necessary to provide for preservation of wildlife, fish, scenic, aesthetic and other environmental values, and navigational values. Lakes and ponds shall be retained substantially in their natural condition. Withdrawals of water which would conflict therewith shall be authorized only in

¹ The objective of water storage would be to minimize decreases in low summer streamflows, increase water supply reliability and meet future water demand. A broad range of concepts could be considered such as wetland and riparian enhancement, surface water impoundments, infiltration ponds, aquifer storage and recovery and direct discharge of groundwater for streamflow augmentation.

those situations where it is clear that overriding considerations of the public interest will be served.

Since the WRIA 62 Watershed Planning Unit opted not to address instream flows within Phase II of Watershed Planning, the law states that Ecology will perform this task at some time in the future. At present, Ecology has no specific timeframe nor locations for conducting instream flow studies in WRIA 62 but acknowledges that the studies will occur sometime in the future.

Since instream flow needs are a component of the equation to quantify water availability in a watershed or sub-basin, the WRIA 62 Watershed Planning Unit believes that it is important for the WRIA 62 Phase IV Implementing Body to be involved in instream flow setting in WRIA 62. The WRIA 62 Watershed Planning Unit believes that it would be most useful for instream flows to be developed as a priority in the southern sub-basins of Calispell, Davis, Skookum, Kent and McCloud that are expected to experience the highest population growth rates and therefore water demand in the future. However, the Watershed Planning Unit also acknowledges that instream flows may need to be developed for all major tributaries in WRIA 62. Furthermore, the Watershed Planning Unit insists that any setting of minimum instream flows be based on the best available science and methodologies to support the establishment of the minimum instream flows.

At the November 2004 Watershed Planning Unit meeting, the Watershed Planning Unit agreed by consensus to recommend instream flow setting in WRIA 62 during Phase IV of Watershed Planning in the collaborative manner described in RCW 90.82.080 (Appendix C1). This proposal was presented to the Pend Oreille County Commissioners on December 13, 2004 for their approval. At this meeting the Commissioners (Mitch Brown, Mike Hanson and Sam Nicholas) approved the Planning Unit's recommendation to address instream flows within the southern sub-basins that are expected to experience the greatest population growth.

In terms of rule-making, Ecology agreed that instream flow studies for as many remaining tributaries in WRIA 62 as feasible should be completed prior to entering into rule-making. Ecology and WDFW agreed, at least preliminarily, that further Pend Oreille River mainstem flow analysis may not be warranted and that Ecology and WDFW could support a flow of 7,700 cfs at Newport in regulation (email communication between Hal Beecher (WDFW) and Mimi Wainwright (Ecology), October 27, 2004). Instream flow studies for tributaries in WRIA 62 might be completed a number of ways: some may already have acceptable recommended flows; some may be completed by the Pend Oreille Native Salmonid Recovery Team; the Watershed Planning Implementing Body may choose to conduct some instream flow studies; and/or remaining flows could be completed with WDFW/Ecology resources.

The Watershed Planning Unit noted that the minimum discharge mandated by Congress for Albeni Falls Dam is 4,000 cfs. With the intent of making this minimum discharge consistent with the future minimum instream flow rule for the Pend Oreille River, the Planning Unit recommends that Ecology consider petitioning the Washington State Governor to write a letter to Congress to raise the minimum discharge from Albeni Falls Dam from 4,000 cfs to be equivalent to the minimum instream flow rule (after this rule is established).

Water rights issued by Ecology from the main stem of the Pend Oreille River for the last couple of years have been conditioned to the 7,700 cfs at the Newport gage. 7,700 cfs is a minimum flow for regulation (i.e. it is a SWSL and not a minimum instream flow rule). Based on the historic record, the flows in the Pend Oreille River fall below 7,700 cfs at the Newport gage one year in ten, usually in August. When Ecology goes into rule making to set minimum instream flows in WRIA 62, it is

Ecology's intent at this time to propose 7,700 cfs at the Newport gage as a regulatory minimum instream flow. The following bullets provide an overview of the actions taken by Ecology when the flow in the Pend Oreille River main stem falls below 7,700 cfs:

- Interruptible water rights holders will be ordered to cease water use until the flows rise above 7,700 cfs as identified in the report of exam for the water right.
- Any new applications for surface water rights from the main stem of the Pend Oreille River and groundwater rights in hydraulic continuity with the main stem of the Pend Oreille River will be conditioned to 7,700 cfs at the Newport gage.
- A plan to mitigate if flows fall below 7,700 cfs at the Newport gage will be required by Ecology for a water to be withdrawn when flows fall below 7,700 cfs at the Newport gage.

During review of this plan, Ecology clarified that they will not be obligated to provide technical assistance that involves actual field work, analysis or reporting. Ecology does agree to be obligated to provide technical assistance with the review of documents (scopes of work, analyses, reports etc.) as well as to collaborate with the Implementing Body during the negotiation of flow recommendations. Ecology also clarified that it cannot take on the obligation to involve the WRIA 62 planning entity in instream flow studies that may occur after Phase IV Implementation. It will be the responsibility of the Watershed Planning Implementing Body to make recommendations to Ecology at the end of the Phase IV if this situation is anticipated.

During review of this plan, WDFW clarified that they agree to be obligated to provide technical assistance to the Watershed Planning Implementing Body for Steps A, B and C as priorities, funding and staff resources allow.

4.1.4 QUANT-3 Background and Rationale

Problem Statement: Flood Control.

The Watershed Planning Unit is concerned that the issue of flooding in Pend Oreille County is not being sufficiently considered in local and regional forums related to flood control. Based on information within the Phase II reports (Entrix, 2002; Golder, 2005), only about 1,300 cfs total runoff to the Pend Oreille River on an average annual basis is derived from WRIA 62. The remainder of the flow within the Pend Oreille River in WRIA 62 (about 26,690 cfs at the downstream boundary of WRIA 62) is derived from the watershed upstream of WRIA 62. In terms of flood control in WRIA 62, this indicates that the Pend Oreille mainstem flows are controlled primarily by climatic conditions and dam operations upstream of WRIA 62.

To support this issue, the Watershed Planning Unit requested that the following information be included within this management Plan:

- Information on the projects that have the most impact on flows and water levels in the Pend Oreille River;
- Information on local and regional forums related to flood control; and,
- Information on the economic impacts of flooding in Pend Oreille County.

The following sections provide this information. It is intended that this information will be used by the Watershed Planning Implementing Body to confirm priority implementation actions to increase

local input into flood related issues in Pend Oreille County. At present, the Watershed Planning Unit does not have a unified message to convey. A message reflecting the views of the Watershed Planning Implementing Body will be necessary prior to pursuing management actions related to flood control in WRIA 62. During development of this issue, the Watershed Planning Unit noted that any representative of the Watershed Planning Implementing Body that becomes involved in forums related to flood control will need to be sensitive to representing the position of the Implementing Body and not their own personal position or the position of their employer or affiliation. In practice this means that any representative of the Implementing Body cannot represent the position of the Implementing Body regarding flood control within WRIA 62 without the prior consensus of the Implementing Body.

4.1.4.1 Dams in the Pend Oreille River Watershed

Based on available flow information, the average annual flow of the Pend Oreille River at Newport (the upstream boundary of WRIA 62) is about 25,680 cfs and the average annual flow of the Pend Oreille River downstream of Boundary Dam (close to the downstream boundary of WRIA 62) is 26,990 cfs (Entrix, 2002). This indicates that only about 1,300 cfs total runoff to the Pend Oreille River on an average annual basis is derived from WRIA 62. The remainder of the flow within the Pend Oreille River in WRIA 62 is derived from the watershed upstream of WRIA 62. This watershed spans about 26,000 square miles, comprises the watershed of the Clark Fork River, Pend Oreille Lake and the Pend Oreille River in Idaho and includes the fourth and fifth largest lakes in the United States, Flathead Lake and Pend Oreille Lake, respectively. The Clark Fork – Pend Oreille watershed is also highly regulated, as illustrated by Figure 45 which shows the locations of the dams within the watershed. Table 4-2 lists the important (in terms of flood control) dams and reservoirs within and upstream of WRIA 62.

The dams which have the greatest control on flows and elevations within the Pend Oreille River in WRIA 62 include Hungry Horse Dam in the upper Clark Fork watershed in Montana and Albeni Falls Dam, located in Idaho, about 2.5 miles upstream of WRIA 62 (Figure 4-5). Within WRIA 62, there are two dams on the Pend Oreille River (Figure 4-5), Box Canyon Dam (located at River Mile 34.4, 2.5 miles north of Ione) and Boundary Dam (located at River Mile 17 about one mile south of the US-Canadian border). Box Canyon Dam and Boundary Dam have some control on river elevations in certain reaches and at specific times according to operating procedures. In addition, the Power House Dam, located within the Calispell sub-basin has some potential to influence stream flows locally.

The following sections provide information on these facilities.

4.1.4.1.1 Dams Managed by Federal Agencies

Dams and hydropower operations managed by the federal government are governed by operating curves and environmental constraints that are met through individual projects' responses to biological opinions and other regulations. Federal dams in the Clark Fork – Pend Oreille watershed that have the most impact on WRIA 62 Pend Oreille River flows and river elevations are Hungry Horse Dam and reservoir on the Flathead River which is managed by the Bureau of Reclamation (BOR) and Albeni Falls Dam on the Pend Oreille River in Idaho which is managed by the Army Corps of Engineers (ACOE). Both these projects are Federal Columbia River Power System (FCRPS) dams. The FCRPS dams are operated to implement the current actions called for in the 2000 National Marine Fisheries Service and US Fish and Wildlife Service Biological Opinions (BiOps) as well as non-Biological Opinion related requirements and purposes such as flood control. At present the year 2000 National Marine Fisheries Service Biological Opinion for the FCRPS dams is in remand per US

Federal District Courts ruling. The current provisions of the 2000 National Marine Fisheries Service Biological Opinion will remain in place until a new Biological Opinion is finalized. Based on review of the strategies and actions listed in the 2000 Biological Opinions, the Action Agencies (i.e., the Army Corps of Engineers, US Bureau of Reclamation and Bonneville Power Administration) have developed the following priorities (in order) for flow management and reservoir operation:

1. Operate storage reservoirs (Hungry Horse and Libby) to meet minimum flow and ramp rate criteria for resident fish;
2. Refill the storage projects by June 30 to provide summer flow augmentation. A late snowmelt runoff may delay refill in order to avoid excessive spill;
3. Operate storage projects to be at their April 10 flood control elevations to increase available flows for spring flow management; and,
4. Provide fall and winter flows for chum salmon spawning and incubation.

The Biological Opinions also acknowledge the concept of adaptive management so that the operation of the system should be adjusted based on acquired knowledge about current conditions and effects of management actions (as opposed to following a rigid set of rules).

4.1.4.1.1 Hungry Horse Dam

Hungry Horse Dam and reservoir was built in 1952 with the purpose of hydroelectric power generation. It is managed by the US Bureau of Reclamation (BOR) as a part of the “main control plan” system of reservoirs in the Federal Columbia River Power System. The reservoir itself has a sizable storage capacity, and currently operates with more interest in water storage and flood control than for power generation. More than five times the power that can be produced at Hungry Horse can be produced by downstream dams, so release levels try to be consistent with downstream needs.

A 2000 Biological Opinion by the National Marine Fisheries Service and the US Fish and Wildlife Service determined that conditions downstream of the dams in the Columbia River Power System needed to be improved for endangered fish species. In response to this biological opinion, in 2002, Hungry Horse dam began to operate under a new interim flow plan, called VARQ (for variable discharge). This flow plan will not become permanent until the completion of an EIS (scheduled for 2005). Currently, Libby and Grand Coulee Dams are also operating under a VARQ interim flow plan.

In 2000, a lawsuit between the National Wildlife Federation and National Marine Fisheries Service (NMFS) forced the 2000 Biological Opinion to resolve some cited deficiencies. A new Biological Opinion addressing these concerns was released September 9, 2004 and was available for public comment until October 8, 2004. Operations at Hungry Horse continue working under the 2000 Biological Opinion until its deficiencies are resolved through the completion of the 2004 Biological Opinion.

Currently, the US Bureau of Reclamation (BOR) and the Army Corps of Engineers (ACOE) are conducting an EIS on VARQ for Hungry Horse, Libby, and Grand Coulee. Through the EIS process, the BOR and ACOE have initiated or completed a variety of studies evaluating the potential impacts of various flood control and fish operations at Libby and Hungry Horse. One of these studies compares the VARQ and standard flood control procedures for Hungry Horse Reservoir and describes the associated hydrologic effects downstream (USBOR, 2004). This study concludes that:

1) VARQ results in slightly lower flows in the Pend Oreille River below Albeni Falls Dam during March and April when flooding at Cusick can be a problem; and, 2) flows in the Pend Oreille River below Albeni Falls Dam are slightly higher in June under VARQ but the frequency of exceeding the flood warning threshold of 100,000 is essentially the same for VARQ as the Standard flood control plan. This study can be viewed on the internet at <http://137.77.133.1/pn/programs/VARQ/links.html>.

Implementation of VARQ does not generally change Hungry Horse reservoir levels unless water volume is between 80-100% of a typical water year (otherwise VARQ elevations are consistent with Standard Flood Control elevations). In terms of flooding in WRIA 62, the biggest concern is that Hungry Horse reservoir is held high in the winter in order to achieve flood control levels by April 10. If there is unusually high precipitation in March, it is likely that Hungry Horse would be required to spill water (to maintain flood control levels) at the same time, therefore exacerbating the impact of the local spring melt and runoff occurring in WRIA 62. The combination of Hungry Horse spilling and high local runoff increases the potential for flooding to occur in the Calispell Valley and other low lying areas along the Pend Oreille River.

4.1.4.1.1.2 Albeni Falls Dam

Albeni Falls Dam is a multiple purpose water resource project owned by the U.S. Government and regulated under authorization from Congress by the Army Corps of Engineers (ACOE) Northwestern Division and Seattle District. Any change in operations that cause river flows and elevations outside authorized limits (see Table 4-3 and the bullets below) would require authorization from Congress.

The project is located in Idaho on the Pend Oreille River at river mile 90.1, about 2.5 miles upstream and east of the City of Newport and the upstream boundary of WRIA 62. The project is operated to regulate Lake Pend Oreille considering upstream flood control (primarily for the City of Sandpoint) and also for recreation, fish and wildlife conservation and power generation. Flood control benefits are realized upstream of the dam by lowering the elevation of Lake Pend Oreille during peak floods (between 80,000 and 220,000 cfs). The ACOE is mandated to operate Albeni Falls Dam in a manner that does not make flooding any worse downstream than it would be under natural conditions.

The inflows to Pend Oreille Lake are largely determined by the outflow of Avista's Cabinet Gorge Dam upstream of Albeni Falls. The outflows from Albeni Falls Dam are managed to maintain lake elevations. Project operating limits (resulting in useable storage of about 1,155,100 AF) range from a minimum authorized lake elevation of 2,049.7 ft amsl to normal full pool at 2,062.5 ft amsl. However there is no scheduled or anticipated plan to draft the lake below the minimum normal pool elevation of 2,051 ft amsl (resulting in actual useable storage of 1,042,700 AF). Typically summer pool is held at 2062.5 feet amsl to just after Labor Day and winter pool is between 2051 and 2055 feet depending on fish needs. Spring fill rate is generally determined by inflows and the natural constriction at Dover.

Table 4-3 summarizes the Lake Pend Oreille Elevation Rule Curves. In addition to the rule curves, the following elevation change and discharge limits are imposed on operations at Albeni Falls Dam:

- Maximum Lake Pend Oreille elevation change of 0.4 ft per day above elevations of 2,058 ft amsl.
- Maximum Lake Pend Oreille elevation change of 0.5 ft per day below elevations of 2,058 ft amsl.
- Minimum instantaneous discharge of 4,000 cfs.

- Maximum hourly discharge change of 5,000 cfs.
- Maximum change in average daily discharge of 10,000 cfs.

As a component of the operation of Albeni Falls Dam there is an agreement between the State of Idaho (represented by Idaho Department of Fish and Game) and the U.S. Government (represented by the ACOE) dated July 5, 1957 which provides for the loss or damage to wildlife resources. The agreement recognizes that unrestricted operation of Albeni Falls Dam would be detrimental to kokanee fry and states that the U.S. Government will operate the project to avoid (where possible and maintaining consistency with the objective of power production) imposing operations which are unnecessarily detrimental to kokanee fry (ACOE, 2002). In response to public concern that the fall drawdown and pool fluctuations between November and March detrimentally impact kokanee spawning and egg incubation, Lake Pend Oreille drawdown and winter pool elevations were modified in 1967 and in the 1980s. These modifications resulted in the completion of the fall lake drawdown between November 15 and 20 to accommodate early spawning kokanee and establishment of a mandatory minimum control elevation from December 1 through March 31 to prevent dewatering of kokanee eggs during their incubation.

Lake drawdown tests to investigate the effect of higher winter lake levels on kokanee spawning were proposed in 1995 by Idaho Department of Fish and Game (IDFG) and supported by the Northwest Power and Conservation Council (NPCC). In a letter dated December 9, 1995 to the NPCC, the ACOE indicated its intent to implement the test starting in the winter of 1996. The test schedule included three years of drawdown to 2,055 ft amsl and two years of drawdown to lower levels. The first three test seasons (with Lake elevations held at 2,055 ft amsl) were completed in the winters of 1996/1997, 1997/1998 and 1998/1999. However, the final two years, when the lake was originally scheduled to be held at 2,051 ft amsl over the winter, was challenged in court by the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS) due to concerns about the impact on bull trout in Lake Pend Oreille due to a possible collapse of the kokanee food source and the water supply for chum salmon in the lower Columbia. As a result of court actions and settlement agreements involving the ACOE, NMFS, USFWS, the Lake Pend Oreille Idaho Club and the Pend Oreille PUD, the lake was held at a compromise level of 2,053 ft amsl during the winters of 1999/2000 and 2000/2001 and at 2,051 ft amsl during the winter of 2001/2002. Following this, the lake has been held at 2,055 ft amsl and 2,051 ft amsl over the winters of 2002/2003 and 2003/2004, respectively.

The ACOE acknowledges that Lake Pend Oreille drawdown is the major concern of those who believe that it has caused the decline in kokanee populations and has affected recreation, fishing, aesthetics, access and property values around the Lake (ACOE, 2002). The ACOE has disputed these claims on the basis that other factors (e.g., unrestricted sports and commercial fishing, imported mysid shrimp that compete with kokanee for food, reduced Lake water quality, upstream dam operations and predation on juvenile kokanee) may have contributed to the present problem. The ACOE also acknowledges the problems associated with managing the elevation of Lake Pend Oreille for competing needs and interests. The ACOE agrees that higher winter lake elevations have increased the outflow of water from Lake Pend Oreille earlier than normal in the spring. This increased earlier spring flow has coincided with the WRIA 62 runoff and has caused spring flooding of low lying land between Albeni Falls Dam and Box Canyon Dam. The ACOE is currently regulating Albeni Falls Dam in conformance with the original Congressional authorization and acknowledges that a major change in Lake drawdown may require Federal action.

The lake is scheduled to be held at 2,055 ft amsl between November 15, 2004 and March 31, 2005. The 2004 Biological Opinion for the Columbia River Power System (which includes the Pend Oreille River system) will establish the schedule for Lake Pend Oreille elevations. A schedule of two or three years high (i.e. 2,055 ft amsl) followed by one year low (2,051 ft amsl) is being considered. The schedule for Lake Pend Oreille elevation will be confirmed on an annual basis by the Technical Management Team (TMT). The TMT was established by the 2000 Biological Opinion by the National Marine Fisheries Service and the US Fish and Wildlife Service to advise the operating agencies on dam and reservoir operations. Additional information on the TMT is provided in Section 4.1.4.4.1.

4.1.4.1.2 FERC Licensed Dams

Federal Energy Regulatory Commission (FERC) licensing is required of all non-federal hydroelectric power projects that affect navigable waters, occupy U.S. lands, use water or hydropower at a government dam, or affect the interests of interstate commerce. FERC licenses are issued for periods between 30-50 years. After an initial FERC license expiration, interim yearly permits may be issued until the facility completes relicensing. Following the relicensing process, another 30-50 year permit is issued. Depending on the relicense process selected, there may be an opportunity for stakeholders to become involved during relicensing and have an impact on how the projects are operated and the mitigation and enhancement measures taken by the operator to achieve a new license. Considering flood control in WRIA 62, the most important FERC licensed dams are Box Canyon Dam and Boundary Dam.

4.1.4.1.2.1 Box Canyon Dam

Box Canyon Dam (FERC project 2042) is located at RM 34.4, 2.5 miles north of the town of Ione. Box Canyon Dam is owned and operated by the Pend Oreille Public Utility District (PUD) No. 1 and has been licensed by FERC since 1952. Box Canyon is being operated on annual licenses since expiration of the original FERC license in February 2002. The PUD is currently working towards a long term FERC license.

With very little active storage capacity (about 60,000 AF), Box Canyon is essentially a run-of-the-river project. The Box Canyon reservoir (and project) extends 56.6 miles along the Pend Oreille River to downstream of the Albeni Falls Dam during normal operations. According to its FERC license, Box Canyon Dam is operated with two mandatory constraints at Pend Oreille River flows of less than about 90,000 cfs when the dam gates are in place and the dam has control of river elevations:

1. Operations at Box Canyon will not result in greater than two feet of backwater at Albeni Falls Dam; and,
2. Operations at Box Canyon will not result in an elevation greater than 2041 ft amsl at USGS Cusick gage at river mile 70.1.

The first constraint is in place to minimize head loss at Albeni Falls Dam and the latter constraint is in place to minimize flooding in the town of Cusick and the Calispell Valley.

In addition, the PUD has placed the following informal constraint on its operations that it expects to be included in its new long term license. The purpose of this constraint is to reduce the potential for river bank sloughing caused by rapid dewatering of the banks along the Box Canyon reservoir.

3. Operations at Box Canyon will not result in drawdown of the reservoir at a rate of greater than 3 inches per hour so long as this rate of drawdown does not cause dam safety concerns.

Typically, the PUD is able to operate the project with the reservoir at an elevation below 2041 ft amsl at Cusick with two feet of backwater at Albeni Falls Dam for Pend Oreille River flows between 5,000 and 65,000 cfs. At flows between 65,000 and 90,000 cfs, the PUD pulls down the river elevation at Box Canyon Dam by removing gates to maintain an elevation of 2041 ft amsl at Cusick. At flows greater than 90,000 cfs, all gates are removed and Box Canyon does not produce power due to loss of head and has no control on the river elevations and flows upstream of the dam.

In addition to the two requirements of its FERC license, the PUD has formal agreements with the three diking districts listed below. Copies of the agreements are included in Appendix G1.

- Diking District No. 1 (Trimble Creek)
- Diking District No. 2 (Calispell Creek)
- Diking District No. 3 (Cusick Creek)

The agreement with Diking District No. 1 (Trimble Creek) has been in place since March 1963. According to this agreement the PUD operates the pump inside the Trimble Creek dike to hold the elevation of the creek inside the dike below 2034.5 ft amsl to the extent possible. If the actual elevation of the creek on the Pend Oreille River side of the dike is less than 2034.5 ft amsl, the dike gate is opened and the creek is able to free flow to the Pend Oreille River. If the actual elevation of the creek on the Pend Oreille River side of the dike is greater than 2034.5 ft amsl, the dike gate is closed and the pump operated to try (to the extent possible) to keep the creek elevation inside the dike below 2034.5 ft amsl.

The agreement with Diking District No. 2 (Calispell Creek) is referred to as Plan E and was most recently revised and adopted by the PUD Board in September 2000. Plan E (included in Appendix G1) involves the operation of 6 pumps (two with 65 cfs capacity and four with 100 cfs capacity) which are set to operate automatically to maintain an approximate elevation of between 2027 and 2028 ft amsl on Calispell Creek inside the dike between November 1 and May 31 and an approximate elevation of between 2027 and 2027.5 ft amsl inside the dike between June 1 and October 31. When the pumps are unable to maintain an elevation inside the dike less than 2032.25, the agreement obligates the PUD to pull gates at Box Canyon Dam to lower the elevation of the Pend Oreille River to its natural elevation if that elevation is below 2032.25 ft amsl (the natural elevation equivalent to a flow of 43,000 cfs). If the flows in the Pend Oreille River are less than 43,000 cfs, the PUD is able to do this to allow Calispell Creek to free flow through the dike (as well as being pumped over the dike). If the flows in the Pend Oreille River are greater than 43,000 cfs and the natural elevation in the Pend Oreille River causes the flow direction to be reversed (i.e. flow to occur from the Pend Oreille River into Calispell Creek) the dike gates are closed and remain closed with the pumps operating while the natural elevation of the Pend Oreille River is higher than that of Calispell Creek inside the dike. Under these conditions (i.e. flows in the Pend Oreille River greater than 43,000 cfs), the PUD is not obligated to pull down the river since the natural elevation of the river is greater than 2032.25 at the Calispell Creek dike.

Diking District No. 3 (Cusick Creek) operates a Locke Dam on the Locke drainage to the Pend Oreille River and two pumps that pump water over the lock from Cusick Creek into the Pend Oreille River. The operations are controlled by the Diking District No. 3 commissioners. The PUD provides maintenance and operating expenses and assistance for the pumps and structures as per an agreement signed in April 1971.

The concern with flooding in the Box Canyon project area is primarily in the low lying areas of the Calispell, Trimble and Cusick Creek valleys and includes the town of Cusick. In this area the creeks usually experience high spring flows in March through April associated with snow melt within WRIA 62. During these high spring creek flows it is important to pump the water from these creeks over the dikes into the Pend Oreille River as well as to allow the creeks to free flow through the dikes. The high flows in the Pend Oreille River mainstem usually occur in May and June and are associated with higher elevation snow melt in the Clark Fork watershed. If the lower lying spring melt in WRIA 62 coincides with high spring flows in the Pend Oreille mainstem (when the creeks are unable to free flow into the Pend Oreille River mainstem through the dikes), flooding is more likely to occur in the Calispell, Trimble and Cusick valleys since water discharge from these creeks over the dikes is limited by the capacity of the pumps. Coordination between Diking Districts, the PUD and the ACOE at this time is necessary to help limit flooding as much as possible (ACOE, 2002).

This flooding potential in WRIA 62 is exacerbated during those years when the elevation of Pend Oreille Lake is held high (above 2053 ft amsl) in the winter resulting in a reduction of storage capacity in the lake. Additional inflow to the lake must be passed on by Albeni Falls Dam to avoid flooding in the towns along the lakeshore, in particular Sandpoint. When Pend Oreille Lake is held lower during the winter (i.e. at elevations of 2051 to 2053 ft amsl), there is some storage capacity available in the lake and there is the potential that the Army Corps of Engineers (ACOE) can assist the PUD by releasing less than 43,000 cfs from Albeni Falls Dam for enough time to allow the creeks to free flow into the Pend Oreille mainstem along with pumping of water over the dikes. In addition, increasing the capacity of the pumps inside the dikes, may in some situations alleviate or reduce the impacts of flooding within the Calispell, Trimble and Cusick Valleys.

4.1.4.1.2.2 Boundary Dam

Boundary Dam (FERC project 2144) is located on river mile (RM) 17 within the northern portion of WRIA 62, about one mile south of the U.S. - Canadian border and is the last dam on the Pend Oreille River in WRIA 62. Boundary Dam is owned by the City of Seattle and is operated by Seattle City Light under an original FERC license that was issued in 1961. This original license expires at the end of September 2011.

Boundary Dam provides approximately 40% of Seattle's annual energy and is operated for optimum energy production and system reliability in the northwest, primarily considering power generation economics, peak load-following and providing operating reserves.

Seattle's FERC license allows Boundary Dam to operate with a maximum drawdown of forty feet, from a normal full pool of 1990 ft amsl. Typically, the dam operates within a twenty-foot drawdown from a full pool of 1990 ft amsl. The Boundary Dam reservoir extends to Box Canyon Dam (located 17.5 river miles upstream of Boundary Dam).

Boundary Dam discharges approximately 52,000 cfs at full generation capability at full pool. At flows between 52,000 cfs and 160,000 cfs the incremental water is discharged via two radial-gated spillways located on each abutment. Incremental flow from 160,000 cfs to 395,000 cfs is passed via seven gated sluiceways.

Due to natural river constrictions and the 17.5 mile distance between Boundary Dam and Box Canyon Dam, operations at Boundary Dam have limited, if any, impact on operations at Box Canyon Dam during times when flooding upstream of Box Canyon Dam is a concern. Boundary Dam is required to notify dams downstream of high flows, including Teck Cominco's Waneta Dam (when flows at

Boundary exceed 150,000 cfs) and B.C Hydro's Seven Mile Dam (when flows at Boundary exceed 250,000 cfs).

Seattle City Light has initiated various stakeholder forums in preparation for the upcoming FERC relicensing process. The best way for the Watershed Planning Implementing Body to voice concerns, if any, to Seattle City Light is to keep track of and become involved in the relicensing process.

4.1.4.1.3 Sub-basin Dams

The Power Lake Dam, located at the outflow of Power Lake to Calispell Creek, is owned and operated by the Pend Oreille PUD No. 1. The generators at the Calispell Powerhouse are used to control the level of Power Lake and subsequently the amount of water flowing into Calispell Lake. The current operational schedule is as follows:

- Attempt maximum drawdown prior to and any time during spring runoff.
- Drawdown lake through early summer to ten feet below normal pool elevation by July 25.
- Gradually reduce outflow from July 25 to August 1. Both generators will be shut down on August 1.
- If the lake fills before September 1, attempt minor late August outflow with an increase during late September.
- Provide late September water to raise level on Calispell Marsh.

Drawing the lake down prior to and during spring runoff provides a small storage volume to capture spring flows and may help to reduce flooding downstream in the Calispell Valley.

4.1.4.2 Conflicts

In the 2005 Draft Water Management Plan for the Federal Columbia River Power System (FCRPS) dams, system managers acknowledge that there is often insufficient water to meet all the actions specified in the 2000 Biological Opinions and meet other system uses such as flood protection. Water Management Plans for the FCRPS dams are prepared annually by the action agencies (the Army Corps of Engineers, US Bureau of Reclamation and Bonneville Power Administration) as outlined in the 2004 Final Updated Proposed Action of the FCRPS Biological Opinion Remand and the 2000 U.S. Fish and Wildlife Service Biological Opinion concerning the FCRPS dams. Current and past Water Management Plans for the FCRPS dams can be accessed on the web at <http://www.nwd-wc.usace.army.mil/tmt/>.

One way to maximize flood control is to provide abundant storage space in the event a large flood occurs. Conversely the 2000 Biological Opinions require the storage projects to be as full as possible to increase the likelihood of refill (in order to provide flows for spring flow management and summer flow augmentation). Flood control procedures specify the amount of storage needed to provide flood protection. The storage space is provided to reduce the risk associated with forecast and runoff uncertainty. In an effort to reduce forecast error and to better estimate the runoff volume and timing, the 2000 Biological Opinions call for the Army Corps of Engineers, US Bureau of Reclamation and Bonneville Power Administration to study system flood control requirements and forecast procedures to determine if they can be improved. Discussion of conflicts between operational requirements and

alternatives for addressing conflicts will occur in the Technical Management Team (TMT) with disputes taken to the Implementation Team (IT) and at times to Federal Executives.

4.1.4.3 Impacts of Flooding in WRIA 62

All maximum flows on the Clark Fork and Pend Oreille Rivers are the result of snowmelt runoff during the April through June period. The Clark Fork River and the mainstem of the Pend Oreille River normally begin their snowmelt runoff in late March, April or early May, flows continue to rise steadily until the crest is reached in May or June, and then flows recede to a base flow level by the end of August or September. The tributaries to the Pend Oreille River in WRIA 62 normally begin snowmelt runoff in March. Snowmelt runoff for these tributaries continues to rise through April, generally peaking in late April or early May and then recedes through June and July to baseflow levels by early August.

During the 83-year period of peak discharges (1904-1941; 1952-1996), 24 floods with flows greater than 100,000 cfs have occurred at the Albeni Falls Dam site (11 floods prior to 1952 and 13 floods after 1952). Maximum discharges for the ten highest known floods on the Clark Fork – Pend Oreille River and the ten highest April – August runoff volumes at the Pend Oreille River at Newport stream gage are listed in Table 4-4. Stage-damage conditions for the Pend Oreille River corresponding to stage at the Pend Oreille River at Newport gage are listed in Table 4-5.

During the flood of 1997, some riverside communities in WRIA 62 were flooded for six weeks. The Washington State Department of Transportation hauled rip-rap for two weeks to rebuild and support the dikes around the town of Cusick. Many communities commuted to work via boat for six weeks. Farmers in the Calispell and Trimble sub-basins estimate their losses at about \$2,713,000. Due to the variable nature of snow pack and annual flood events, combined with upstream reservoir operations, some years the economic impacts of flooding to the Pend Oreille County PUD No. 1 is minimal. Other years the financial impact is several hundred thousand dollars per year.

The August 2004 Pend Oreille County Local Hazard Mitigation Plan (Pend Oreille County Hazard Mitigation Task Force, 2004) notes the cost of recent flooding events as the following:

- Kalispell Tribe of Indians - \$75,000 for severe flooding and landslides in 1997.
- Pend Oreille County - \$1,900,000 for flooding in 1996.
- Pend Oreille County - \$5,575,000 for flooding in 1997.
- Pend Oreille County PUD No. 1 - \$130,000 for severe flooding and landslides in 1997.

Information on public safety related to flooding in WRIA 62 is included within the Hazard Mitigation Plan (Pend Oreille County Hazard Mitigation Task Force, 2004).

4.1.4.4 Local and Regional Flood Control Forums

The purpose of this section is to provide the Watershed Planning Implementing Body with information on forums related to flood control. The intent is that the Implementing Body will use this information to confirm actions for voicing concerns about flooding in Pend Oreille County during Phase IV implementation.

4.1.4.4.1 Technical Management Team

The Technical Management Team (TMT) was established by the 2000 Biological Opinions to advise the operating agencies on dam and reservoir operations for the Federal Columbia River Power System (FCRPS). The TMT's mission is to ensure broad technical participation and use of best available technical information and to encourage consensus in recommendations on operating the FCRPS. When consensus is not reached, the TMT ensures that the basis for the participant's recommendations and Federal decisions is fully explained and documented. Action agencies in coordination with regional parties through the TMT endeavor to consider the multiple uses of the system while providing, as a high priority, the measure to benefit listed species.

The TMT implements Biological Opinions and develops and implements Water Management Plans for the FCRPS. The TMT meets on a regular basis (every other Wednesday between the last week in March and August 31) and all meetings (including a conference call line) are open to interested parties. The current representative for Washington State on the TMT is Cindy LaFleur with Washington Department of Fish and Wildlife. Guidelines for the TMT are included as Appendix G2. Additional information on the TMT, including membership, can be found at <http://www.nwd-wc.usace.army.mil/tmt/>.

4.1.4.4.2 Northwest Power and Conservation Council

The Northwest Power and Conservation Council (NPCC) (<http://www.nwppc.org/>) was established in 1980 under the Northwest Power Act as an 8-member Council comprising of two voting members representing each of the states of Washington, Oregon, Idaho and Montana. Each member currently serves a three year term. The Council develops and maintains a regional power plan and a fish and wildlife program to balance the Northwest's environment and energy needs and has three primary tasks:

1. Develop a 20-year electric power plan that will guarantee adequate and reliable energy at the lowest economic and environmental cost to the Northwest;
2. Develop a program to protect and rebuild fish and wildlife populations affected by hydropower development in the Columbia River Basin; and,
3. Educate and involve the public in the Council's decision-making processes.

The Washington Council members and staff are listed below.

Northwest Power and Conservation Council, Washington Council Members

Vancouver Office 110 Y Street Vancouver, WA, 98661 Mail P.O. Box 2187 Vancouver, WA 98668 Tel:360-693-6951 Fax:360699-4093	Council Member: <u>Frank L. Cassidy Jr. ("Larry")</u>	
	Staff	
	<u>Jo-Ann Black-Burrell</u>	Administrative Assistant
	<u>Tony Grover</u> (696-1584)	Washington Sub-basin Planning Contract Manager
Spokane Office 705 West First Avenue, MS-1 Spokane, WA 99201. Tel:509-623-4386 Fax 623-4380	Council Member: <u>Dr. Tom Karier</u>	
	Staff	
	<u>Mary Dorsey</u>	Administrative Assistant
	<u>Stacy Horton</u> 327-3775 (Mon), 623-4376 (T-F)	Biologist
Olympia Office Natural Resources Bldg. 600 Capitol Way N. Mail-stop 43200 Olympia, WA 98501-1091 Tel:360-902-2302 Fax:360-902-2319	<u>Raven McShane</u>	
	State and Government Liaison	

4.1.4.4.3 Relicensing of FERC Projects

Under the Watershed Planning Act (Chapter 90.82 RCW) , the watershed planning process is not able to affect FERC license conditions. As per RCW 90.92.080(4):

Nothing in this chapter either: (a) Affects the department's authority to establish flow requirements or other conditions under RCW 90.48.260 or the federal clean water act (33 U.S.C. Sec. 1251 et seq.) for the licensing or relicensing of a hydroelectric power project under the federal power act (16 U.S.C. Sec. 791 et seq.); or (b) affects or impairs existing instream flow requirements and other conditions in a current license for a hydroelectric power project licensed under the federal power act.

The Watershed Planning Implementing Body can ask that voluntary actions be taken to change current operations that affect flooding and erosion. These changes may be considered if they are allowable under the current FERC license and 401 certification (i.e., the current FERC license and 401 would need to be flexible enough in their range of allowable operating procedures, to enable changing the way the water is released to address the issues).

As mentioned above, Seattle City Light has initiated various stakeholder forums in preparation for the upcoming FERC relicensing process for Boundary Dam. The best way for the Watershed Planning Implementing Body to voice concerns, if any, to Seattle City Light is to keep track of and become involved in the relicensing process.

The Pend Oreille PUD No. 1 is currently operating on annual licenses and is negotiating for a long term license. Once the long term license is granted, there may be opportunities for the Watershed Planning Implementing Body to voice concerns, if any, through implementation of projects and studies required as components of the license.

4.1.4.5 Actions for Consideration

During the issue development process, the following actions were proposed for consideration by the Watershed Planning Implementing Body to reduce the potential for flooding in Pend Oreille County. These are not included in Chapter 3 since they were not further developed into Plan actions.

1. Recommend that Lake Pend Oreille is held at 2051 ft amsl during the winter.
2. Recommend changes to the pumping capacity at Cusick inside the dikes based on available funding.
3. Request that upstream dams that have the most potential to impact flooding in Pend Oreille County (Albeni Falls and Hungry Horse) consider flooding in Pend Oreille County as a component of their operations.
4. Recommend that the Watershed Planning Implementing Body have a seat at the table for future relicensing of facilities.
5. Recommend that the Watershed Planning Implementing Body write a letter to the local congressional representative expressing concerns about flooding in WRIA 62.

Regarding listed item No. 5 above, Hungry Horse and Albeni Falls Dam are operated under authorization from Congress. Therefore, a letter voicing concerns about flooding in Pend Oreille County sent to local Congressional representatives would be passed on to Bureau of Reclamation (owner / operator of Hungry Horse) and the Army Corps of Engineers (owner / operator of Albeni Falls) for consideration.

Application for Flood Control Assistance Account Program (FCAAP) funding may be considered by the Implementing Body to assist with flood control actions. In 2005, two Flood Control Assistance Account Program (FCAAP) grant funding applications were received by Pend Oreille County:

1. The Town of Ione for removal of Cedar Creek Dam; and,
2. The Pend Oreille Conservation District applying on behalf of Diking District #3 to complete a Flood Hazard Mitigation Plan.

4.1.5 QUANT-4 Background and Rationale

Problem Statement: There is a need to promote water conservation, reclamation and reuse strategies in WRIA 62.

With limited availability of water for competing needs, particularly in the summer months, the Watershed Planning Unit acknowledges the importance of water conservation, reclamation and reuse to efficiently use available water in WRIA 62.

In terms of water conservation, reclamation and reuse, the Watershed Planning Unit recognizes the following ongoing efforts in WRIA 62:

- The Pend Oreille Public Utility District No. 1 implemented a rate structure in 1995 to encourage water conservation.

- Ponderay Newsprint Company diverts water from the Pend Oreille River for use in its manufacturing process. Water is reused on average fifteen times in the process before it is purged from the papermaking process, treated in their effluent treatment plant, and returned to the river.
- The Town of Cusick land-applies wastewater during the summer months.
- The Town of Ione has replaced one-third to one-half of its water distribution system through a Community Trade and Economic Development (CTED) Community Development Block Grant (CDBG). The primary purpose of this on-going effort is to reduce water losses from leaking pipes.

The intent of this issue is to support continuation of these efforts, establishment of new efforts and to educate the population of WRIA 62 about the need to conserve water, especially during the dry summer months.

There have been a few regional conservation programs within Washington State, including the three listed below. The Watershed Planning Implementing Body is encouraged to contact these and other groups for information on successful efforts to promote water conservation through education.

1. The Conservation Coalition is a group of water systems in the Puget Sound Region who have been working on conservation together for over ten years. Their website is: www.bewatersmart.net. The chair of the group is currently Janet Sailer (425-392-6256 x204, janet@sammplat.wa.org.) from the Sammamish Plateau.
2. The Saving Water Partnership is a group of water systems that consists of Seattle and its wholesale water systems. Their website (www.savingwater.org) lists contacts for the partnership.
3. Kitsap WaterPAK is a group of water systems in Kitsap County that worked together on developing a coordinated water system plan for the county. Following completion of the water system plan, Kitsap WaterPAK decided to continue to work on many other elements of water system operation including conservation. Debbie Thomas from Kitsap PUD (360-626-7723 and email:dthomas@kpud.org) is a contact for this group.

Washington State Department of Health (WDOH) is currently developing water use efficiency regulations for Municipal Water Suppliers as required by the 2003 Municipal Water Law (also known as HB 1338). A group of statewide stakeholders are finalizing their recommendations to WDOH on the rule. Draft rule language is expected in April 2005. The rule is to be completed by December 2005.

At this time, there are no funds available from the WDOH for developing water conservation reminders (as per the comments received from Washington State, December 2, 2004). The Department of Health does have a conservation brochure which can be provided to the Watershed Planning Implementing Body via electronic format for distribution.

4.2 Background and Rationale for Water Quality Issues

The following sections provide background information for each of the water quality issues.

4.2.1 WQUAL-1 Background and Rationale

Problem Statement: There is a need to develop a protocol to coordinate and ensure that WRIA 62 water quality data is provided for input into the Joint Stock Assessment Program (JSAP) database.

During the early stages of Phase III Planning, the lack of coordination between the entities collecting water quality data was identified as a concern. The Watershed Planning Unit considered applying for supplemental funding to develop a web-enabled water quality database and protocols for entities collecting data within the watershed to submit information for inclusion within the database. The intent of the project was to have up-to-date water quality data for WRIA 62 easily accessible from a single location. Discussion of the project raised concerns that a number of water quality databases already exist, such as the U.S. Environmental Protection Agency (EPA) Legacy Data Center and STORET and Ecology's Environmental Information Management System (EIM), and that creation of a WRIA 62 database would be a duplication of effort. However, concerns were raised that the existing databases do not include all water quality data for WRIA 62. In addition concerns were raised that an active steward would be required to manage a WRIA 62 database into the future.

The Kalispel Tribe informed the Watershed Planning Unit that the Joint Stock Assessment Program (JSAP) database was in the process of being developed and populated and it is the intent of the JSAP to make this data accessible via the internet. The Joint Stock Assessment Project (JSAP) specifically addresses NPCC Council measure 10.8B.26 of the 1994 program. The JSAP is a management tool using ecosystem principles to manage artificial fish assemblages and native fish in altered environments existing in the Columbia River System above Chief Joseph and Grand Coulee Dams. Following discussions with representatives of the Kalispel Tribe, the Watershed Planning Unit agreed that the most effective use of resources would be for the WRIA 62 water quality data collectors to submit groundwater and surface water quality information to the Kalispel Tribe in the required format for inclusion within the JSAP database. Since the JSAP is a long term project, funded by the Bonneville Power Administration, the Watershed Planning Unit felt the system would be maintained into the future and that collaboration with the Kalispel Tribe to incorporate water quality data for WRIA 62 would be the most efficient use of resources.

Coordination of the collection and reporting of WRIA 62 water quality data for submission to the JSAP database is expected to be accomplished by the Watershed Planning Implementing Body and the Kalispel Tribe. The Watershed Planning Implementing Body is expected to coordinate data collection and submission of the data to the Kalispel Tribe. This will involve identification, collection and quality assurance of data not currently in the JSAP database and submission of these data to JSAP managers. The Kalispel Tribe is expected to enter the data into the database and ensure that the data are available via the internet.

4.2.2 WQUAL-2 Background and Rationale

Problem Statement: Eurasian watermilfoil and other aquatic nuisance weeds pose a threat to native habitat and public safety in the Pend Oreille watershed.

The growth, and in some locations proliferation, of Eurasian watermilfoil and other aquatic nuisance weeds such as curlyleaf pondweed in WRIA 62 impairs recreational activities (e.g., boating, fishing

and swimming), is an aesthetic concern and may be negatively impacting resident fish populations (Pend Oreille County, 2003). The Pend Oreille River is listed for pH on Ecology's 303d list of impaired waters. High pH levels are likely caused by aquatic weed growth. The intent of this issue is to help address this water quality impairment by implementing public education activities and bringing together a group of stakeholders within Phase IV of Watershed Planning to agree upon actions to reduce the distribution and densities of Eurasian watermilfoil and, to a lesser degree, other aquatic nuisance weeds such as curly pondweed in WRIA 62.

In 1991 the Legislature appropriated funding (paid for through boat and trailer licensing fees) for the establishment and maintenance of an Aquatic Plants Management program through Ecology to prevent the establishment and control of aquatic weeds. The program includes educational, technical and financial assistance. Grants (application cycle 1 Oct-1 Nov) are available for planning, research, implementation, and education/outreach. The web site link (<http://www.ecy.wa.gov/programs/wq/links/plants.html>) describes in detail what services are available and grant application criteria. Ecology is planning an "Aquatic Plant School" in cooperation with Portland State University and the Smithsonian for 2005. Ecology contacts for this event and for additional information on Washington State funded measures to combat the introduction and spread of milfoil are:

- Kathy Hamel, Ecology/Water Quality, Tel: (360) 407-6562, Email: kham461@ecy.wa.gov; and,
- Jenifer K Parsons, Ecology/Environmental Assessment Program, Tel: (509) 457-7136; Email: jenp461@ecy.wa.gov.

4.2.3 WQUAL-3a Background and Rationale

Problem Statement: There is a need to participate in current and future Total Maximum Daily Load (TMDL) processes and provide input on TMDLs for tributary streams that originate within WRIA 62.

The Clean Water Act requires States and Tribes with water quality jurisdiction to develop a list of waterbodies not meeting water quality standards. Development of Total Maximum Daily Loads (TMDLs) is the process by which States and Tribes attempt to achieve water quality standards. Washington State has jurisdiction over waterbodies within WRIA 62, with the exception of waters within the exterior boundaries of the Kalispel Indian Reservation. The Kalispel Tribe has jurisdiction over waterbodies on Kalispel Indian Reservation lands. Idaho State has jurisdiction over waterbodies within Idaho. The role of the Environmental Protection Agency (EPA) is to review and approve TMDLs and ensure that the TMDLs will work towards attaining applicable water quality standards (i.e. State and Tribal water quality standards).

Information on the WRIA 62 303(d) listings and current TMDL activities are included in the Phase II, Level 2 report (Golder, 2005). At present there are no on-going TMDLs for tributary streams to the Pend Oreille River in WRIA 62 outside of the Colville National Forest. There are completed and ongoing TMDLs on tributary streams to the Priest River Basin in Idaho that originate in WRIA 62. Completed and on-going TMDLs are illustrated on Figure 4-6. TMDLs in Idaho are listed in Table 4-6.

The US Forest Service (USFS) is currently working on TMDLs for the Colville National Forest which include temperature TMDLs in WRIA 62 for 1998 303(d) listings for Lost Creek and Cedar Creek in Ione and fecal coliform TMDLs on the Colville National Forest outside of WRIA 62. The model being used for temperature can be used to address future temperature listings in the Colville National Forest. However, the fecal coliform model will only apply to the sites in the Colville National Forest that are listed on the 1998 303(d) list, therefore if there are any future fecal coliform listings on the Colville National Forest, a new fecal coliform TMDL will likely be needed. The USFS Colville National Forest TMDLs timelines are tentatively:

- TMDL Report External Stakeholder Review – April 2005
- TMDL Report Submitted to EPA – June 2005

The Colville National Forest spans Ferry, Stevens and Pend Oreille Counties. Forming an advisory group of interested citizens from Ferry, Stevens and Pend Oreille counties would be cumbersome and since neither Ecology or the USFS is obligated to form advisory groups to develop or implement TMDLs, the USFS and Ecology have decided instead to use a variety of other methods to seek input from forest users, interested people and various planning groups when working on the Colville National Forest TMDLs. It is likely that public meetings will be held which will provide an avenue for the WRIA 62 Planning Unit or Implementing Body to contribute. In addition, all TMDLs go through a public comment period which is another opportunity for people to participate in the Colville National Forest TMDL process. To support action WQUAL 3a-1, the WRIA 62 Watershed Planning Implementing Body should become involved with public meetings and during the public comment period.

There are currently six approved sediment TMDLs and one approved temperature TMDL in streams within the Priest River watershed in Idaho that have the potential to impact water quality downstream in WRIA 62. These TMDLs are (Table 4-6 and Figure 4-6):

- Sediment for Reeder Creek, Kalispel Creek, Binarch Creek, Lower West Branch Priest River, the East River watershed and the Lower Priest River; and,
- Temperature for the East River watershed.

In addition, the following TMDLs are planned by the Idaho Department of Environmental Quality (IDEQ) in the Priest River Basin in Idaho near future (Table 4-6 and Figure 4-6):

- Temperature for Hughes Fork, Granite Creek, Reeder Creek, Kalispel Creek, Binarch Creek, Lower West Branch Priest River and the Lower Priest River; and,
- Sediment, temperature and total dissolved gas for the Pend Oreille River (from Lake Pend Oreille to the Washington – Idaho border).

WRIA 62 is set to be “scoped” by Ecology again for TMDLs in 2008-2009. Ecology can, however, schedule TMDLs earlier if the study information is needed sooner. Ecology’s draft 2002/2004 303(d) list includes additional tributary listings both on and off the Colville National Forest. TMDL work on these tributaries will likely be scheduled after the list is finalized, but possibly earlier than 2009 if it promotes coordinated planning of TMDLs throughout the basin. The 1998 and draft 2000/2004 303(d) listed water bodies are illustrated on Figures 4-7 and 4-8, respectively.

4.2.4 WQUAL-3b Background and Rationale

Problem Statement: There is a need to participate in the TMDL processes and provide input on TMDLs for the mainstem Pend Oreille River.

The Clean Water Act requires States and Tribes with water quality jurisdiction to develop a list of waterbodies not meeting water quality standards. Development of Total Maximum Daily Loads (TMDLs) is the process by which States and Tribes attempt to achieve water quality standards. Washington State has jurisdiction over waterbodies within WRIA 62, with the exception of waters within the exterior boundaries of the Kalispel Indian Reservation. The Kalispel Tribe has jurisdiction over waterbodies on Kalispel Indian Reservation lands. Idaho State has jurisdiction over waterbodies within Idaho. The role of the Environmental Protection Agency (EPA) is to review and approve TMDLs and ensure that the TMDLs will work towards attaining applicable water quality standards (i.e. State and Tribal water quality standards).

Information on the WRIA 62 303(d) listings and current TMDL activities are included in the Phase II, Level 2 report (Golder, 2005). Development of the Pend Oreille River TMDLs will be completed by the entities with water quality jurisdiction (i.e., Ecology in Washington, the Idaho Department of Environmental Quality in Idaho and the Kalispel Tribe on reservation lands, with review and approval by EPA).

Ecology is in the process of developing Total Dissolved Gas (TDG) and temperature TMDLs for the mainstem of the Pend Oreille River (Figure 4-6). Details are available in Ecology's Quality Assurance Project Plans (QAPPs) for the Temperature and TDG Pend Oreille River Total Daily Maximum Load Technical Studies (Ecology, 2004b; Ecology 2004c). The QAPPs and information on TMDL timelines are available on Ecology's web site (http://www.ecy.wa.gov/programs/wq/tmdl/watershed/tmdl_info-ero.html). Ecology is considering contracting with a specialist to review, expand and re-run an existing CE-QUAL-W2 temperature model for the Pend Oreille River from the Idaho state line to Box Canyon Dam, and publish this analysis in a Phase 1 report. Seattle City Light is planning to develop a CE-QUAL-W2 model for the Boundary Dam reservoir, with technical support from Ecology. The final temperature TMDL will be developed when the Idaho, Box Canyon, and Boundary models can be evaluated together. It is also Ecology's intent to coordinate with the Idaho Department of Environmental Quality to take the output from a planned CE-QUAL-W2 temperature model of Lake Pend Oreille and the Pend Oreille River in Idaho as input to the Washington model at the state line.

The following TMDLs are planned by the Idaho Department of Environmental Quality (IDEQ) in the Priest River Basin in Idaho (Table 4-6 and Figure 4-6):

- Sediment, temperature and total dissolved gas for the Pend Oreille River (from Lake Pend Oreille to the Washington – Idaho border).

The total dissolved gas (TDG) issues for the Clark Fork - Pend Oreille system in Idaho are primarily being addressed, at the current time, through implementation of the Gas Supersaturation Control Program for the Clark Fork Project (Avista 2004). This TDG program focuses on operations of the Cabinet Gorge Hydroelectric Development, eight miles upstream of Pend Oreille Lake. In 2005, Idaho DEQ will initiate a sub-basin assessment and TMDL effort for the Pend Oreille River. TDG issues will be examined as they pertain to the Albeni Falls Hydroelectric Project and river conditions between Albeni Falls and the Idaho - Washington state line.

The Watershed Planning Unit feels it is important that the Washington State Department of Ecology, the Idaho Department of Environmental Quality and the Kalispel Tribe, all assisted by EPA, coordinate the development of the TMDLs for the Pend Oreille River, particularly at the technical assessment phase. For example, the Watershed Planning Unit feels it is important that natural temperature conditions are identified correctly (through modeling) and that this is done for the upper watershed in Idaho (Lake Pend Oreille and the Pend Oreille River in Idaho) before modeling efforts are conducted for the lower Pend Oreille River in Washington. Only after natural temperature conditions are understood should Ecology and the Idaho Department of Environmental Quality try to quantify any potential increases due to projects in Idaho and Washington. The efforts to understand natural temperature conditions will determine whether or not the Pend Oreille River temperatures are truly an impairment or if some (or all) of the elevated temperatures are due to natural conditions. The Planning Unit has emphasized the need for coordination in letters sent to EPA, Ecology and IDEQ on February 2, 2005. A copy of these letters are included in Appendix H.

Ecology held the initial TMDL public meeting, in Newport, in January, 2005. At this meeting, Ecology explained the overall TMDL process, presented the study plans (i.e., the TDG and temperature QAPPs) and solicited questions and concerns from those present. The Kalispel Tribe explained the Tribe's involvement. The Tri-State Water Quality Council asked those present to sign up to be contacted about upcoming meetings and development of a stakeholder advisory group. The WRIA 62 Watershed Planning Implementing Body can provide input to the TMDLs by becoming involved with this advisory group. The Tri-State Water Quality Council will be facilitating and coordinating this stakeholder advisory group.

In addition to the ongoing TDG and temperature TMDLs for the Pend Oreille River mainstem in WRIA 62, the Pend Oreille River is being assessed to determine whether or not it should remain on the 303(d) list for Aldrin in fish tissue (Ecology, 2004d). Aldrin (a toxic chemical) will be analyzed in fish tissue and the results compared to the criteria specified by Ecology's Water Quality 303(d) Listing Policy. The QAPP for the assessment (<http://www.ecy.wa.gov/biblio/0403115.html>) was completed in October 2004 and the sampling in November 2004. The final report is due in May 2005.

4.2.5 WQUAL-4a Background and Rationale

Problem Statement: The natural quality of drinking water provided to some communities does not meet Washington State secondary drinking water standards.

Within Section 3.8.2 of the Phase II, Level 2 Technical Assessment (Golder, 2005) information is presented on groundwater quality within the Kalispel Reservation, groundwater supplied to the Town of Ione and an assessment is made of the groundwater quality for public water systems in WRIA 62 based on information contained within the WDOH water quality database. The findings of the assessment are that groundwater quality is generally good in WRIA 62 with little evidence of human related impacts to groundwater quality. However, high levels of hardness, iron and manganese (due to natural geochemical processes) are common in WRIA 62 groundwater and have been detected in wells completed in the unconsolidated and consolidated sediments, and in bedrock. Elevated hardness causes scale on the inside of pipes and boilers. If groundwater containing dissolved iron and manganese (from a reducing environment) is exposed to the atmosphere, the iron and manganese in solution is oxidized to a less soluble form and precipitates as an oxide or carbonate. Iron and manganese oxides and carbonates can clog well screens and water distribution piping, can cause taste

problems in drinking water and can stain laundry. Groundwater treatment and regular well maintenance is needed to avoid these problems.

In response to this finding, members of the Planning Unit acknowledged that WDOH has expended effort and funds within WRIA 62 to improve the quality of water supplied to communities in WRIA 62, but that community assistance continues to be a need in the watershed. As the result, the Planning Unit recommended that the Implementing Body communicate with WDOH and that WDOH also take the initiative to communicate with the Implementing Body to address this issue within Phase IV of Watershed Planning. Purveyor education, identification of funding sources and technical assistance as needed from WDOH are considered in the recommended Plan actions.

4.2.6 WQUAL-4b Background and Rationale

Problem Statement: There is a need to review wellhead protection plans throughout WRIA 62 and improve these plans as needed.

Within Section 3.9 of the Phase II, Level 2 Technical Assessment (Golder, 2005), it is noted that the City of Newport, Town of Ione and Sunvale Acres 4th Addition Water Systems have Wellhead Protection Plans approved by WDOH. However, other Group A water systems do not have WDOH approved wellhead protection plans, although they may have plans on file. Per WAC 246-290-135, Group A water systems are required to develop and implement a Wellhead Protection Plan. Tables 4-7 and 4-8 list Group A and Group B public water systems in WRIA 62, respectively.

Wellhead Protection Plans are typically approved by WDOH for a fee as part of WDOH's planning program, but may be approved outside of the planning process. Free technical assistance for small systems is available for developing wellhead protection plans through Evergreen Rural Water (<http://www.erwow.org/>). Kitty Weisman is the Source Water Protection Specialist for Evergreen Rural Water and can be contacted at cweisman@erwow.org or at 1-800-272-5981. Kitty has expressed an interest in working with the Implementing Body during Phase IV of Watershed Planning. The Washington Environmental Training Center (WETRC) also provides technical assistance and training (<http://www.greenriver.edu/wetrc/index.htm>). WETRC is a self-supported, specialized, continuing education program that strives to protect public health, preserve environmental quality and insure reliable management, operation and maintenance of environmental systems by providing training. WETRC works closely with regulatory agencies such as WDOH, Ecology, the Washington Department of Labor and Industries, and the Environmental Protection Agency to keep up with the latest developments in environmental safety and health regulations. Additional information and technical assistance are also available from the Northeast Tri-County Health District and WDOH.

Wellhead protection regulations are found in WAC 246-290-135, which states that water systems shall develop and implement a wellhead protection plan and the plan should be part of the water system plan (WSP) or small water system management program (SWSMP). The specific elements of a wellhead protection plan are defined in WAC 246-290-135.

The Planning Unit discussed the need to have a coordinated program to ensure that all WRIA 62 water systems have developed and are implementing wellhead protection plans. The WDOH has a Joint Plan of Operation (JPO) with the Northeast Tri-County Health District, which includes completing sanitary surveys of Group A and B water systems in Pend Oreille County. Every year the Northeast Tri-County Health District is given a number of Group A and B water systems in Pend Oreille County by WA DOH to survey. By the end of 5 years (2007), the Northeast Tri-County Health District will have rotated through all the Group A and B water systems in Pend Oreille

County. Starting in 2008, the 5 year rotational survey will start again. As a component of this survey, the surveyor evaluates the Sanitary Control Area of the well for any potential contaminants. This is an element of a wellhead protection plan but is not a complete wellhead protection plan. If the Northeast Tri-County Health District identifies a high public health risk while conducting a sanitary survey, a schedule for the risk to be corrected is determined and tracked by WDOH. If the Northeast Tri-County Health District finds a deficiency in the survey, the Northeast Tri-County Health District works with the water system to address the deficiency. This JPO ensures that the water systems also create and implement plans to address water quality sampling, cross connection protection and coliform monitoring. However, the JPO does not address the fact that wellhead protection plans may not be developed or implemented by water systems in WRIA 62.

The Watershed Planning Unit discussed a number of options to address the fact that wellhead protection plans may not be developed or implemented by water systems in WRIA 62. The Watershed Planning Unit decided to make a recommendation to identify these systems and encourage them to obtain technical assistance. The Watershed Planning Unit also agreed that including Group A and Group B public water system wellheads in the County's Critical Areas Ordinance would help to reduce the potential for contamination. GIS coverages for Group A and Group B public water system wellheads are available from WDOH for use by the County.

4.2.7 WQUAL-5 Background and Rationale

Problem Statement: The 303(d) list identifies impaired waterbodies and requires Washington State to work towards cleaning up impaired waterbodies and establishing TMDLs. However there is a need to identify an appropriate process to protect unimpaired waters in WRIA 62 that meet or exceed applicable water quality standards.

The intent of this issue and the corresponding actions is to “keep clean water clean and clean up dirty water” in the spirit of the 1987 revisions to the Clean Water Act. The goal of the Clean Water Act (CWA) is to “restore and maintain the chemical, physical and biological integrity of the Nation’s waters”. The CWA established the basic structure for regulating discharges of pollutants into the waters of the United States. It gave EPA the authority to implement pollution control programs and also continued requirements to set water quality standards for all contaminants in surface waters. The Act made it unlawful for any person to discharge any pollutant from a point source into navigable waters, unless a permit was obtained under its provisions. It also recognized the need for planning to address the critical problems posed by non-point source pollution. Changes in 1987 created the State Water Pollution Control Revolving Fund, more commonly known as the Clean Water State Revolving Fund. This new funding strategy addressed water quality needs by building on EPA-State partnerships. Evolution of CWA programs over the last decade has also included a shift from a program-by-program, source-by-source, pollutant-by-pollutant approach to more holistic watershed-based strategies. Under the watershed approach equal emphasis is placed on protecting healthy waters and restoring impaired ones. A full array of issues are addressed, not just those subject to CWA regulatory authority. Involvement of stakeholder groups in the development and implementation of strategies for achieving and maintaining state water quality and other environmental goals is another hallmark of this approach.

In 1998, EPA policy was updated to better refine the water quality assessment process, requiring a complete Water Quality Assessment to be completed by states, as opposed to a listing of only waterbodies requiring a TMDL. In 2004, a draft of Washington’s first, more detailed Water Quality Assessment list was completed, which highlights existing and potential water quality problems across the state in addition to listing the traditional “303(d) list” waterbodies. This draft Water Quality

Assessment tells a more complete story about the condition of Washington's waters. The draft Water Quality Assessment breaks water bodies into the following categories:

- **Category 1** – Meets standards for clean waters.
- **Category 2** – Waters of Concern. In these waterbodies, there is some evidence that there may be a water quality problem, but not enough evidence to require a TMDL study at this time. (At least 10% of water quality samples must exceed the standard in order for a water body segment to be placed on the 303(d) list.) Category 2 waters are waters that Ecology will continue to test and watch closely.
- **Category 3** – No data. This category functions mainly as a placeholder and indicates that the water quality of the waterbody is unknown.
- **Category 4** – Polluted waters that do not require a TMDL either because the impairment is currently being dealt with through the TMDL process, or because a TMDL would not adequately address the water quality problem. Category 4 is broken down into the following sub-categories:
 1. **Category 4a** – Has a TMDL.
 2. **Category 4b** – Has a pollution control plan. Pollution control plans are not TMDLs, but they do have many of the same features as TMDLs and there must be some legal or financial guarantee that they will be implemented.
 3. **Category 4c** – Impaired by a non-pollutant. The water quality problems in these waterbodies cannot be solved through the TMDL process. Examples of impairments that can cause Category 4c listing include low flows, stream channelization, habitat conditions, or dams.
- **Category 5** – Polluted waters that require a TMDL (commonly called the “303(d) list”) (Roughly 10% of water quality samples taken must exceed the standard in order for a waterbody to be placed in Category 5).

It is the intent of the Watershed Planning Unit to review Ecology's current water quality assessment and use it to identify waterbodies where projects may be implemented to address this issue. In addition, it was agreed that the Watershed Planning Implementing Body will coordinate with other past, ongoing and planned efforts within WRIA 62 (such as TMDLs and FERC relicensing efforts) to avoid duplication and inconsistencies.

If the Watershed Planning Implementing Body wishes to protect and/or clean up a water body in WRIA 62 that is on the 303(d) list (defined as Category 5 in the new standards), the Implementing Body may develop a water quality clean-up plan. However, if the waterbody is listed as a Category 2 (waters of concern), then the Watershed Planning Implementing Body may develop a monitoring plan to confirm the suspected water quality problem, and if confirmed may then go on to develop a water quality clean-up plan. If a clean-up plan is approved by Ecology, the waterbody may be moved to a Category 4b and a TMDL may not be needed. Additional information on Ecology's listing policy, entitled “Assessment of Water Quality for the Section 303(d) List can be found on the internet at: http://www.ecy.wa.gov/programs/wq/303d/2002/303d_policy_final.pdf. Information on the location of Category 5 and Category 2 water bodies is included within the Phase II, Level 2 technical assessment (Golder, 2005).

Strategy WQUAL 5-4 recommends that the Water Planning Implementing Body implement the water quality monitoring plan developed in the Phase II, Level 2 Technical Assessment (Golder, 2005). This plan was developed to address issues raised by the entities collecting water quality data in WRIA 62 and issues raised in previous programs and reports.

The recommended water quality monitoring actions listed in the Phase II, Level 2 Technical Assessment (Golder, 2005) are:

1. Coordinate TMDL development and implementation in WA and ID.
2. Conduct biological and baseline monitoring in sub-basins that drain into Idaho.
3. Conduct temperature studies on the Pend Oreille River between Box Canyon and Canada.
4. Develop water quality datasets that are comparable between WRIA 62 waterbodies.
5. Conduct water quality monitoring in sub-basins where population growth is predicted.
6. Develop and implement a stormwater monitoring program for urban areas (Metaline, Metaline Falls, Ione, Cusick and Newport).
7. Upgrade Ecology's Metaline Falls site to a Core Monitoring Location.
8. Increase use of coordinated and comparable biological monitoring.
9. Require use of water quality monitoring plans, QAPPs and comparable protocols
10. Develop a WRIA 62 Data Management System.
11. Install freeze protection on automated equipment in WRIA 62 tributaries.

Justification for these recommendations are provided in Appendix F of the Phase II, Level 2 report (Golder, 2005). It is recommended that the Watershed Planning Implementing Body implement these recommendations contingent upon available funding and considering activities that have occurred since this work was completed.

Strategy WQUAL 5-5 recommends that Pend Oreille County consider any ordinances that may help to reduce the impacts of population growth on water quality. These ordinances may include landscaping, stormwater, wetland and shoreline ordinances and could result in inclusion of wellhead protection areas in critical areas ordinance.

4.3 Background and Rationale for Habitat Issues

The following section provides background information for the habitat issues.

4.3.1 H-1 Background and Rationale

Problem Statement: There is a need to continue coordination of aquatic habitat programs within WRIA 62.

The WRIA 62 Planning Unit opted to address habitat as a component of the planning process. Therefore, as per the Watershed Planning Act (RCW 90.82.100), the Plan must be integrated with strategies developed under other processes to respond to potential and actual listings of salmon and other fish species listed as threatened or endangered under the federal Endangered Species Act (ESA) as well as rely on existing laws, rules and ordinances in place to protect, restore or enhance fish habitat.

The WRIA 62 Planning Unit acknowledges that habitat programs and fisheries management approaches and activities by various agencies in WRIA 62 are not always well coordinated and may, in some circumstances, conflict. However, there is general consensus among the Planning Unit members that aquatic habitat management is critical to the maintenance and recovery of the various species that are important to the Planning Unit members. As examples, the Kalispel Tribe runs a bass hatchery and Pend Oreille County promotes sport-fishing in the Comprehensive Plan and believes that bass, brown trout and Eastern brook trout (which are non-native fish) are an important part of the Pend Oreille County outdoor lifestyle.

There was discussion among Planning Unit members about fish population management. WDFW stated that fish population management is outside the scope of watershed planning. However, there are some activities that may result in fish population management which are also considered by WDFW as habitat restoration. For example, an activity addressing fish passage that provides for connectivity of stream habitat may have fish management implications which WDFW would address as a separate issue. In addition, non-native fish removal may support the values of habitat improvement projects, but is not a habitat improvement project per se. WDFW suggested that the Planning Unit consider language such as, "Fish population management and habitat improvement activities can be/should be coordinated to provide the highest benefit to both populations and habitat". The Kalispel Tribe believes that habitat includes all physical, chemical and biological components of niche space occupied and that therefore non-native fish removal may be considered as a habitat improvement.

Following the discussion, the Planning Unit made the decision to support strategies developed by the Pend Oreille Salmonid Recovery Team that are also agreed to by the Implementing Body with the exception of projects addressing management of fish populations. The Planning Unit believes that coordinating with the Pend Oreille Salmonid Recovery Team does not mean that the Watershed Planning Implementing Body has to or will agree with all the activities of the Pend Oreille Salmonid Recovery Team. The following paragraphs provide additional information on the efforts of the Pend Oreille Salmonid Recovery Team.

A plan for salmon recovery in Washington State was introduced in 1998 and is funded through House Bill (HB) 2496. In 1999, bull trout was included in this plan, and as a result, WRIA 62 became involved in native salmonid recovery planning. The Pend Oreille Conservation District was appointed as the Lead Entity for the Pend Oreille Salmonid Recovery Team in 2000 under the Salmon Recovery Act (Chapter 77.85 RCW).

Because salmonid recovery planning is a State of Washington planning process, the geographic focus area is WRIA 62. This overlaps directly with the HB 2514 Watershed Planning efforts area. Focal species for this effort have been native salmonids, specifically bull trout, westslope cutthroat trout, and pygmy whitefish. The goal of the Pend Oreille Salmonid Recovery Team is to support native salmonid recovery in WRIA 62 by improving priority native salmonid habitat through a cooperative effort between private citizens and local, state, federal, and tribal governments. As the Lead Entity, the Pend Oreille Conservation District provides the forum and administrative support for the process.

The WRIA 62 Salmonid Recovery Planning Process has developed a plan entitled *Strategy for Protection and Improvement of Native Salmonid Habitat in the Pend Oreille Watershed, Washington Water Resource Inventory Area 62 (Strategy)*. This report (Pend Oreille Conservation District, 2004) is a living document, updated as required for each grant cycle and when new information becomes available. This report is included within Appendix I. Currently (as of July, 2004) the Strategy document has been completed for the 5th round of the 2004 Salmon Recovery Funding Board grant cycle.

The Pend Oreille Salmonid Recovery Team comprises a Citizens' Advisory Group (CAG) composed of local citizen stakeholders and a Technical Advisory Group (TAG) of federal, state, local governments and tribes that guides the technical components of the work. Members of the TAG and CAG for WRIA 62 are listed the Strategy document included in Appendix I.

In addition to the Pend Oreille Salmonid Recovery Team, there are a number of other habitat programs ongoing in WRIA 62, including WDFW, Seattle City Light, Pend Oreille PUD No.1 and Kalispel Tribe's Natural Resources Department programs. The Watershed Planning Unit agreed that there is a need to consider coordination with these groups and programs.

4.3.2 H-2 Background and Rationale

Problem Statement: Invasion of noxious terrestrial weeds has the potential to degrade water quality and terrestrial, riparian and aquatic habitats by increasing water yield runoff and preventing the establishment of native vegetation.

With continued growth and development in Pend Oreille County, the Pend Oreille County Weed Board identified a need to improve public understanding about the potential for noxious weeds to degrade water quality and terrestrial, riparian and aquatic habitats by increasing water yield runoff and preventing the establishment of native vegetation. The H-2 action items listed in Section 3.3.2 will be implemented (based upon available funding) primarily by the Pend Oreille County Weed Board working cooperatively with the Pend Oreille Extension and the Watershed Planning Implementing Body. Watershed Planning Unit members suggested that public education could be conducted through a property-tax mail insert.

4.3.3 H-3a Background and Rationale

Problem Statement: River bank erosion along the mainstem of the Pend Oreille River is resulting in degraded riparian habitat and water quality. The causes of erosion need to be confirmed and mitigated.

During public outreach activities, river bank erosion along the mainstem of the Pend Oreille River was identified by members of the public as a concern at both the Newport Centennial and the Pend Oreille County Fair where surveys were conducted regarding watershed related issues. Flooding and

riverbank erosion were most frequently cited as the most serious problem recognized by the people surveyed. Planning Unit discussions followed. It was agreed that causes of bank erosion along the mainstem of the Pend Oreille River in WRIA 62 need to be substantiated and then actions developed by the Watershed Planning Implementing Body to address the issue. Existing sources of information include past and on-going erosion surveys within the Box Canyon Reservoir completed by the Pend Oreille PUD #1 (an interim report is available) and erosion surveys and bank stabilization work completed by the Kalispel Tribe with Ray Entz as the contact for this work.

Discussion continued on the sources of information available for landowners to address river bank erosion. The Planning Unit felt that the existing specifications provided by the NRCS are overwhelming to most landowners. NRCS design specifications are site specific and must be provided by a certified engineer. At a minimum the NRCS requires that all bank stabilization projects meet the design criteria of all permitting agencies (including Pend Oreille County, WDFW and the Army Corps of Engineers). The NRCS streambank stabilization and shoreline protection standards (which provide criteria for design, implementation and maintenance of streambank stabilization measures) can be accessed from the internet at <http://www.nrcs.usda.gov/technical/efotg/>.

This plan proposes that the Watershed Planning Implementing Body develop and implement a public education program and compile bank stabilization strategies that are reasonable for landowners to implement. The Watershed Planning Implementing Body would then provide assistance to land owners to implement bank stabilization measures that meet these standards. Additional Best Management Practices are included within WDFW's Integrated Streambank Protection Guidelines which can be accessed from the internet at <http://wdfw.wa.gov/hab/ahg/>.

It will important for the Implementing Body to coordinate with entities completing riverbank erosion and stabilization studies in WRIA 62 to develop and implement the Plan actions and to ensure that the actions are not duplicative of other past, on-going and planned activities in WRIA 62.

In addition, the Planning Unit acknowledged that the Pend Oreille County Shoreline Master Plan (Pend Oreille County, 1974) and the Pend Oreille County Comprehensive Plan need to be updated with respect to the current state of river bank erosion, in consideration of land clearing activities that may exacerbate river bank erosion and river bank stabilization strategies. The town of Cusick received funding from Ecology to develop a Shoreline Master Plan specific to Cusick. It will be important for the Implementing Body to review this plan as well as other Shoreline Plans and to consider coordination of Shoreline Planning within WRIA 62.

4.3.4 H-3b Background and Rationale

Problem Statement: Stream bank erosion in WRIA 62 along the tributaries to the Pend Oreille River is resulting in degraded riparian habitat and water quality. The causes of stream bank erosion need to be confirmed and mitigated.

The Watershed Planning Unit agreed that the causes of stream bank erosion on the tributaries to the Pend Oreille River in WRIA 62 need to be substantiated and then actions developed and implemented by the Watershed Planning Implementing Body to address the issue. As with Issue H-3a above, the Planning Unit felt that the existing specifications provided by the NRCS are overwhelming to most landowners. The recommended Plan actions to develop and implement a public education program and to compile bank stabilization strategies that are reasonable for landowners to implement were developed as a result. In addition, the Planning Unit acknowledged that the Pend Oreille County Shoreline Master Plan (Pend Oreille County, 1974) and the Pend Oreille County Comprehensive Plan

need to be updated with respect to the current state of stream bank erosion, when considering land clearing activities that may exacerbate river bank erosion and river bank stabilization strategies. As with Issue H-3a above, it will be important for the Implementing Body to coordinate with entities completing riverbank erosion and stabilization studies in WRIA 62 to develop and implement the Plan actions and to ensure that the actions are not duplicative of other past, on-going and planned activities in WRIA 62.

4.4 Background and Rationale for Water Rights Issues

The following sections provide background information for the water rights issues.

4.4.1 WR-1 Background and Rationale

Problem Statement: There is currently limited opportunity for the local community to provide recommendations to the Department of Ecology in the processing of water rights transfers, changes, applications and relinquishments.

Since many of the tributaries in WRIA 62 are subject to Surface Water Source Limitations (SWSLs) (see Section 4.1.1), the Planning Unit members discussed options to promote water conservation and to encourage water rights holders to relinquish, sell or bank their water rights in order to free-up additional water.

The Planning Unit acknowledged that the “use-it or lose-it” time frame (Chapter 90.14 RCW) for water rights, particularly irrigation water rights, does not encourage water conservation since if the water right is not put to beneficial use for a five year time span, the water right becomes invalid. Therefore the water right holder may use the water even though the water is not essential for the designated purpose of use in order to maintain the validity of the right.

Water rights in Washington are maintained through the beneficial use of water allotted through that water right. Under this system, when a water right is not “used” for a period of time, the right to that water can be lost. This system was developed in order to ensure that water resources are put to the highest beneficial use possible, to provide maximum benefit to Washington’s citizens. Therefore, if a water right holder is not using water allotted to him, and someone else needs the water, the water right holder’s right to the water that he is not using may be relinquished in order to make it available for another beneficial use.

The water right relinquishment, or “use it or lose it” rule is recorded in Chapter 90.14 RCW, which states,

“any person hereafter entitled to divert or withdraw waters of the State through an appropriation...who abandons or voluntarily fails, without sufficient cause, to beneficially use all or any part of said right for a period of five successive years shall relinquish such right or portion thereof, and such right shall revert back to the State.”

The definition of beneficial uses of water is recorded in RCW 90.54.020. The statute allows the following beneficial uses of water: domestic, stock watering, industrial, commercial, agricultural, irrigation, hydroelectric power production, mining, fish and wildlife maintenance and enhancement, recreational, and thermal power production purposes, and preservation of environmental and aesthetic values, and all other uses compatible with the enjoyment of the public waters of the state.

The water allocation versus water use assessment for WRIA 62 (Golder, 2005) indicates that about 104,000 AF/yr of water in WRIA 62 is allocated to agricultural irrigation but only about 1,500 AF/yr is currently being used. Strategy WR1-2 is designed to consider legislative action to encourage owners of inactive irrigation rights to sell, bank, lease or relinquish their water rights so that the water can be used beneficially. At present, there is no incentive for holders of inactive irrigation rights to do so. The Watershed Planning Unit identified pros and cons associated with increasing the “use-it or lose-it” time frame from five to twenty years.

The pros associated with increasing the “use-it or lose-it” time frame from five to twenty years were identified by the Watershed Planning Unit as:

- Increasing this timeframe would make some WRIA 62 water rights valid that would be considered invalid under a five year timeframe. These water rights could then be sold, banked, leased or relinquished so that the water could be used beneficially.
- There could potentially be more certainty about available water.
- Other Watershed Planning Units in WA have made this recommendation in watershed management plans.

The cons associated with increasing the “use-it or lose-it” time frame from five to twenty years were identified by the Watershed Planning Unit as:

- This recommendation requires a change in the statute (Chapter 90.14 RCW) and would therefore require considerable effort and support from the State Legislature.
- The change may serve as a disincentive for progressive water right users since a change may “reward” those who have not put their water right to beneficial use.
- It would be more difficult for Ecology to administer water rights over a twenty year time-frame.
- The change may encourage water rights users to use water rather than conserve water.
- If an unused right is reactivated, it will diminish streamflow, potentially impairing senior water rights and instream flows.

The Planning Unit agreed that there is a need to evaluate the recommendation (to increase the “use-it or lose-it” time frame from five to twenty years) further during the Implementation Phase (Phase IV) of Watershed Planning. In particular, the Planning Unit agreed to evaluate the impacts to senior water rights holders that have put their water to beneficial use.

The Planning Unit also discussed the option of establishing a Water Conservancy Board as per Chapter 173-153 WAC (Appendix F3). However due to the relatively few applications for water rights changes (seven in March 2003), the Planning Unit did not consider this a priority for the Plan and recommended instead that the Implementing Body evaluate this further and consider a regional Water Conservancy Board. The Watershed Planning Unit recommends that the Implementing Body contact Linda Kiefer, with Stevens County, regarding establishing a water conservancy board.

Additional supporting information on applying for and maintaining water rights (including water banking and water trusts) and on water conservancy boards is included in Appendix J.

4.4.2 WR-2 Background and Rationale

Problem Statement: When future minimum instream flows are established, any new water rights that are junior to the minimum instream flows may be restricted when minimum instream flows are not met. There is a need to quantify water available for future allocation and/or reservation.

The Planning Unit acknowledges that instream flow rules will be set at some time in the future for all major tributaries in WRIA 62. The Planning Unit also recognizes that water supply that is continuous throughout the year is needed to support population growth. Since instream flow rules have the potential to curtail junior water rights at times of the year when the instream flow rule is not met, the establishment of minimum instream flows was considered by the Planning Unit as having the

potential to limit population growth in WRIA 62 where domestic exempt wells may be the best alternative or the only alternative for drinking water supply. The Planning Unit believes that establishing minimum instream flows to support in-stream needs and to protect senior water rights while also providing for rural development is a realistic and achievable goal.

The Planning Unit feels that domestic exempt wells are important to support rural development and population growth in WRIA 62. As a result, the Planning Unit discussed the option of making a recommendation to the Legislature not to condition exempt wells (as defined in RCW 90.44.050) to instream flows that may be set in the future. This recommendation was strongly supported by some Planning Unit members and strongly opposed by others. Since the Planning Unit operates by consensus, this recommendation was removed from the Plan. Further discussion resulted in the recommendation that in-house domestic use and normal stock watering from domestic exempt wells drilled after establishment of minimum instream flow rules not be restricted by these rules. "In-house domestic use" means use of water for drinking, cleaning, sanitation, and other uses in a residence, excluding irrigation of lawn and garden. The Planning Unit acknowledged that about 70% of water withdrawn by domestic exempt wells may be returned to shallow aquifer systems through a septic system or via percolation (USGS, 2000). In policy, Ecology considers a 50% return flow.

In more rural watersheds such as the Pend Oreille, where public water systems are not available to many residents, permit-exempt domestic wells are relied upon for most residential water needs. The Planning Unit has attempted to plan for domestic exempt wells by setting up a framework that will include evaluating instream flows, and utilizing estimates of groundwater and surface water availability in sub-basins to develop a reservation(s) of water (per Chapter 590 WAC) to, in part, identify future reliable sources of water.

Since Ecology has closed to further appropriation or placed low-flow restrictions on many of the WRIA 62 sub-basins with insufficient stream flow gaging information to support the closures (see Table 4-1 and Figure 4-3), the Planning Unit discussed the option of the Implementing Body addressing instream flow studies proactively in order to quantify how much water is needed for instream resources and to determine if additional water is available for future appropriation.

The Planning Unit agreed that if an instream flow study indicates water is available for future appropriation, that the Implementing Body should consider placing this water within a reservation for future growth (per Chapter 590 WAC). This reservation, since it is set considering instream flow needs, would be senior to the instream flow rule and therefore would not be conditioned to the instream flow. The Planning Unit agreed that it should consider instream flow setting in the sub-basins that are closed to further appropriation or restricted and in the sub-basins that are expected to experience the greatest population growth. As illustrated on Figure 42, these are the Calispell, Davis, Skookum, Kent and McCloud sub-basins. The types and amount of water appropriated in the reservation would be determined by the Implementing Body based on how the Implementing Body predicted growth to occur. For example, if growth is expected to occur primarily by domestic exempt wells, then a reasonable amount of water (less than the statutory 5,000 gallon per day allocation and considering water returns to the ground) would be applied to a domestic exempt well and based on the water available, a domestic exempt well limit would be set for the geographical area covered by the reservation.

At such a time when the reservation is close to being allocated, there will be a need to follow a process to conduct more detailed water availability studies and/or to develop a mitigation framework. More detailed water supply studies could address: hydraulic continuity between ground water and surface water; development of an alternate water source (such as water withdrawal from a confined aquifer or withdrawal from the mainstem of the Pend Oreille River along with treatment and

distribution); and, water reclamation and reuse. Mitigation must show that withdrawal will not impair senior water rights, including instream flows. Mitigation strategies may include: purchasing and retiring an active water right; pumping water into the stream from a location that will not impact senior water rights and instream flows; water conservation; returning stored water to the stream in the summer; and, establishing a water trust or banking / leasing system.

If instream flow studies indicate that there is no water available for further appropriation, then the Planning Unit agrees that more detailed water availability studies and/or a mitigation framework would be needed in order to support future water appropriation.

These concepts are presented schematically in Figure 4-9. Ecology's guidance on setting instream flows and allocating water for future out-of-stream uses provides additional information (Appendix F4).

4.5 Background and Rationale for Growth and Land Use Planning Issues

The following sections provide background information for the growth and land use planning issues.

4.5.1 GR&LU-1 Background and Rationale

Problem Statement: There is a need to integrate information on current and future projected water supply and demand with land use.

The Planning Unit discussed the apparent disconnect between growth and land use planning and available water resources (for both instream and out-of-stream uses). The Planning Unit recommended that relevant technical information developed within the Phase II technical assessments (Entrix, 2002; GeoEngineers, 2004; Golder, 2005) be integrated into County, City and Town planning processes.

Pend Oreille County agreed with the issue and approved the actions. However, they acknowledged that the County would not be able to take on any further obligations within the current Comprehensive Plan (tentatively scheduled for completion in June 2005). The County staff indicated that better integration of water supply and growth and land use planning could be considered in future Comprehensive Plan updates.

4.5.2 GR&LU-2a Background and Rationale

Problem Statement: There is a need to identify and assess locations and associated management practices of livestock operations that utilize riparian areas.

There are a number of different scales of livestock operations within WRIA 62, ranging from small farms that raise livestock in a relatively small area to large farms and rangeland where livestock roam year round or seasonally. As indicated on Figure 4-10, the USFS manages the majority of the land in WRIA 62, including a number of grazing allotments. The BLM, State DNR, private land owners and the Kalispel Tribe also own land that is used for grazing livestock.

As noted in the WRIA 62 Phase II, Level 1 report (Entrix, 2002), improper grazing can reduce streamside vegetation, which may result in increased water temperature and decreased stream complexity and habitat diversity. Stream banks are weakened when streamside vegetation is removed and trampling may result in bank erosion and increased sediment delivery to the stream. Improper livestock management can also contribute to water quality problems such as high fecal coliform levels due to manure deposition in and adjacent to the streams. The level of negative impact to riparian vegetation and water quality depends largely upon livestock access to the stream. In areas that are heavily forested or vegetated, livestock access to the streams can be limited. Conversely, if the vegetation is primarily grass and open tree stands and the streams are not fenced, livestock access to the streams can occur frequently and the level of impact has the potential to be much greater.

The WPU agreed that there is a need to identify the locations of livestock operations within WRIA 62 and to assess the degree of impact to riparian vegetation and water quality. At present, there are a number of 303(d) listings for temperature and fecal coliform in both the 1998 and draft 2000/2004 listings in WRIA 62. These listings are illustrated on Figures 4-7 and 4-8, respectively. The current 303(d) listings and categorization for WRIA 62 streams are available from Ecology's web site at http://www.ecy.wa.gov/programs/wq/links/impaired_wtrs.html. There may also be other streams of concern where data are lacking. It is intended that this action would address those streams for which data are lacking.

The WPU also acknowledges that all entities involved in grazing in riparian areas (including the NRCS, USFS, DNR, BLM, Pend Oreille Conservation District and private land owners) should be involved in development of actions plans to address any negative impacts associated with livestock operations utilizing riparian areas.

4.5.3 GR&LU-2b Background and Rationale

Problem Statement: There is a continued need to identify funding for education and program implementation related to livestock management in riparian areas.

The WPU agreed that there is a continued need to educate landowners with livestock operations about the potential for their operations to impact riparian areas and water quality, and to identify resources for these landowners to implement improvement measures. Educational materials, technical assistance and funding resources are available from a number of sources, including Ecology, Pend Oreille Conservation District, Washington State University Extension and NRCS. The WPU agreed that the Pend Oreille Conservation District is the appropriate entity to coordinate and implement these actions, contingent upon available funding.

4.5.4 GR&LU-3 Background and Rationale

Problem Statement: Road building and improper maintenance can negatively impact water quality and aquatic habitat.

Although there are road building / maintenance standards and Best Management Practices (BMPs) used in WRIA 62, the WPU feels strongly that there continues to be the potential for negative impacts to water quality. These impacts may be caused by roads built in the past and from roads that are currently being built or that will be built in the future by all entities involved in road building in WRIA 62.

Forest Service roads and roads managed under the Forest Practices Act are not included in these strategies since they are built and maintained under existing regulations and the watershed planning process cannot obligate entities guided by the Forest Practices Act (per RCW 90.82.120(3)). Road building and maintenance guidelines and rules for Federal, State and Private forest lands are contained within the Washington Forest Practices Rules (for private and state forest lands) and the Northwest Forest Plan and various BMPs and national / regional specifications (for federal forest lands). In order to have input to road building and maintenance issues in WRIA 62 on National Forest land, the Planning Unit developed the action for the Implementing Body to become involved in revisions to the Colville National Forest Plan. In addition, Ecology has a memorandum of agreement (MOA) with the USFS aimed at improving water quality for people and fish. The most significant element of this MOA is an aggressive commitment to a road maintenance schedule that mirrors the requirements of the 1999 Forests and Fish state legislation. In the MOA, the USFS agrees to manage its lands and activities to meet or exceed state water quality standards. In the event that the USFS causes a water quality violation on or outside USFS land, Ecology will first use the MOA between the USFS and Ecology to address the violation. If there is no resolution, Ecology will take enforcement action against the USFS for violating state water quality standards. Note that this does not include temperature or fecal coliform in streams on Colville National Forest land since these are currently being addressed by TMDLs.

Pend Oreille County confirmed that road building and maintenance and the consequent impacts to water quality are being adequately addressed on County roads as a component of the Eastern Washington Stormwater Management Phase II BMPs.

Washington State Department of Transportation (WSDOT) currently addresses erosion control, water quality, stormwater and habitat issues through the implementation of the Highway Runoff Manual, the Eastern Washington Stormwater Manual, and the Maintenance 4(d) Manual. These are standard components of WSDOT's planning, design, construction and maintenance operations. In addition, WSDOT has applied for a statewide National Pollutant Discharge Elimination System (NPDES) Phase II permit from Ecology. This permit will involve implementing Stormwater Management Controls and likely include a statewide public education component among other minimum requirements. With these procedures, guidances and programs in place, WSDOT should be able to meet and in some instances, exceed the expectations outlined for WSDOT in the Watershed Planning actions. WSDOT has stated that, through all of their stages of development from Planning through Maintenance as they pertain to Water Quality, Stormwater, Erosion Control, Habitat or related Watershed concerns, WSDOT will be cooperative in participating in multiple entity projects as applicable and as funding permits. WSDOT are and will continue to offer technical assistance as needed.

WSDOT in cooperation with WDFW conducts fish barrier assessments on WSDOT Right of Way and has a program in place to address the prioritization, replacement/retrofit of these structures. The fish barrier work is implemented based on legislative funding and the scope of the projects in the area.

Currently, Ecology, WSDOT and WDFW are working on a pilot study referred to as the Transportation Permit Efficiency and Accountability Committee (TPEAC). This pilot study aims to integrate transportation design work and regulatory issues early in the project rather than at the time when an environmental problem (such as a water quality violation) is identified – which is usually during construction or after the project has been completed. This new approach uses watershed and local planning information early (e.g. pre-design). The process is currently being piloted by habitat and field staff on a road widening project on US 12 near Walla Walla, SR 59 near Lynden and I-5 near Centralia. The Watershed Planning Unit recommends that the Implementing Body tracks these projects to see if this approach would be applicable to road building and maintenance in WRIA 62.

4.5.5 GR&LU-4 Background and Rationale

Problem Statement: The Pend Oreille County Shoreline Master Program needs to be updated.

The Pend Oreille County Shoreline Master Plan was completed in August 1974. An updated program is required by Ecology by 2012. The Planning Unit discussed the need to update the Plan prior to the 2012 deadline to address increasing development of the shorelines within WRIA 62. However the County could not commit to updating the Plan in the near future due to limited staffing and funding resources. The County supports assistance from the Implementing Body and hopes that the Watershed Planning Implementing Body will continue to function as a group to be able to provide assistance to the County at the time when the Shoreline Plan can be updated. In addition to assistance from the Implementing Body, there may be Shoreline Master Program grants available from Ecology in the future to help Pend Oreille County update its Shoreline Master Plan.

4.6 Background and Rationale for Economic Impact and Community Involvement Issues

The following sections provide background information for the economic impact and community involvement issues.

4.6.1 EC-1a Background and Rationale

Problem Statement: There are insufficient resources to support implementation of all the actions in this plan.

The Planning Unit acknowledged that there are insufficient Watershed Planning Phase IV funds to support implementation of all the actions in the Plan. As a result, the Planning Unit agreed that it would be important to prioritize actions for implementation and identify other potential funding sources to support Plan implementation. Appendix K provides information on potential funding sources that could be considered by the Implementing Body. A summary of the information is provided on Table 4-9.

4.6.2 EC-1b Background and Rationale

Problem Statement: There is a need to identify and inform local communities about resources to assist local communities in complying with water regulation.

Members of the Planning Unit feel that, in some cases, it does not appear that regulatory agencies consider the cost to local communities of water regulation. Funds and technical assistance are not made clearly available to the local community to help them to comply with new water regulations. Concern was expressed that the cost associated with Federal, State and local water regulation is not clear to the local community. However, Ecology and the County (as per State law) are currently required to do a cost-benefit analysis for new regulation and these analyses are available to the public. In addition, the Watershed Planning Unit acknowledged that many of the Best Management Practices and specifications are written for the western Washington climate and are not always relevant to eastern Washington. The Planning Unit felt that there was a need to educate the public on water related laws and regulations and help them to comply with water regulation. The laws and regulations include (but are not limited to) bank stabilization, riparian management, wetlands, wellhead protection, critical areas ordinances and shorelines management. It will be the responsibility of the Implementing Body to compile a list of these laws and regulations and to develop educational materials to inform local communities. Information on potential funding sources to assist local communities comply with regulations are included within Appendix K.

4.6.3 EC-2 Background and Rationale

Problem Statement: There is a need to ensure meaningful community input to water regulations.

This issue has two components: the first is related to how public input is addressed and the second is related to educating people so that they are able to be involved.

Comment was provided by some Planning Unit members that the public often feel like second rate citizens when asked by agencies to comment. Often comments are not acknowledged and the public feel that their comment is a waste of time and that the decision has already been made irrelevant of their concerns.

The following ideas to improve public participation were identified by Planning Unit members:

1. Give presentations at schools (since this educates children and since children encourage their parents to get involved).
2. Give out information at Pend Oreille County twice a year when people pay their taxes.
3. Have a community day / evening sponsored by local agencies and businesses that is catered.
4. Encourage evening meetings for public input.
5. Provide information in media (local newspapers, TV and radio).
6. Give presentations on the issue(s) and provide opportunities to comment at places of employment. This would involve businesses working with regulatory agencies to allow their employees to spend this time to become involved.
7. Educate the public on what is coming, and give them direction on how and when to comment.

The results of a recent Pend Oreille County survey to find out how the public are informed indicated that word-of-mouth is the way most people find out about local issues.

The following is a list of water related processes that are on-going or may occur in the future in WRIA 62 that require, encourage or allow public input:

- State Environmental Policy Act (SEPA)
- National Environmental Policy Act (NEPA)
- TMDLs
- Lead Entity Strategy
- Watershed Planning Implementation
- Comprehensive Planning
- Shoreline Master Program
- US Forest Plan Updates
- FERC relicensing of dams
- Usk Bridge replacement
- Technical Management Team for the Federal Columbia River Power System

5.0 WATER RELATED PLANNING PROGRAMS AND PROCESSES

Watershed Planning in WRIA 62 is one of many planning programs and processes that are ongoing in the local and regional area. In an effort to educate the reader, to identify situations where WRIA 62 watershed planning may interact with another process and to help avoid duplication, some of these programs and processes are briefly described in this Chapter. Figure 5-1 presents a schematic illustrating the relationships between the WRIA 62 Watershed Planning process and other local and regional water related programs and processes.

5.1 Other Watershed – Wide Planning Programs and Processes

This section provides a brief overview of other watershed scale planning programs and processes occurring within, adjacent to or including WRIA 62.

5.1.1 Intermountain Province (IMP) Sub-basin Planning

Plans developed under the Northwest Power and Conservation Council's (NPCC's) Sub-basin Planning program are intended to guide the review, selection, and funding of projects to carry out the NPCC's Columbia River Basin Fish and Wildlife Program. These plans provide a blueprint for Bonneville Power Administration (BPA) funding of projects that protect, mitigate, and enhance fish and wildlife adversely impacted by the development and operation of the Columbia River hydropower system.

The Pend Oreille Sub-basin Plan was completed May 19, 2004 for the Intermountain Province (IMP) of the Columbia River Watershed, which includes Washington's portion of the Pend Oreille watershed (WRIA 62), the Priest River watershed and Lake Pend Oreille up to the Montana state border with Idaho. These plans are intended to be used to help meet the requirements of the 2000 Federal Columbia River Power System Biological Opinion and to aid in recovery planning for threatened and endangered species. Sub-basin Plans were developed with local sub-basin participation and represent the collaborative efforts and knowledge of the fish and wildlife managers from federal and state agencies and tribes. The Plan consists of an introduction, an overview of the Intermountain Province, and separate chapters for each of the six sub-basins. The plan is available on the internet at: <http://www.nwcouncil.org/fw/sub-basin/planning/admin/level2/intermtn/plan>.

The geographic focus for the Sub-basin Planning process is much broader than that of Watershed Planning (per Chapter 90.82 RCW). The Intermountain Province contains six sub-basins including Lake Rufus Woods, San Poil, Upper Columbia, Spokane, Coeur d'Alene, and Pend Oreille. The IMP Sub-basin Plan includes the entire Lake Pend Oreille Watershed in Idaho, Montana and Washington.

Participants in this process include an Oversight Committee (OC), Provincial Coordinator, Advisory Council, Technical Committee, and Sub-basin Work Teams. The Provincial Coordinator works in concert with the Advisory Council, Oversight Committee, and Technical Committee to coordinate meetings, outreach, communication, and sub-basin planning activities at the provincial level and to provide support as necessary to sub-basin work groups.

The Sub-basin Work Teams were formed by soliciting a broad range of interested stakeholders and inviting their participation in the sub-basin planning process in a manner most suitable to their interests. The IMP Oversight Committee, Advisory Council, Technical Committee and other interested stakeholders were asked to help identify candidates to participate in the Sub-basin Work Teams. Candidates were added to an IMP contact list. Additionally, each person contacted was also asked if they know of others who should be added to the contact list. The candidate list included a

wide range of interests to represent many potential views on each Sub-basin Work Team. Each Sub-basin Plan Work Team is composed of approximately 15 to 20 representatives and includes diverse stakeholder representation.

In addition to Sub-basin Planning described above, the NPCC Fish and Wildlife Program also completed sub-basin summaries for each of the Columbia River sub-watersheds. The sub-basin summaries are a data compilation of fish life history, distribution, population, biology and habitat studies, and land use information. These sub-basin summaries provide the necessary informational framework on which the Sub-basin Plan is developed.

Core members of the Pend Oreille sub-basin team which have the legal responsibility for fish and wildlife management are the Idaho Department of Fish and Game (IDFG), Washington Department of Fish and Wildlife (WDFW), U.S. Fish and Wildlife Service (USFWS), the Coeur d'Alene Tribe, and the Kalispel Tribe of Indians. Many, but not all of these members, overlap with the Sub-basin Plan Work Team membership. Their role in the sub-basin team is to provide input on the status of habitat quality, ongoing monitoring efforts, and habitat strategies; recommend actions to meet habitat quality objectives; and, assure consistency with other planning efforts.

5.1.2 Salmonid Recovery Planning

A plan for salmon recovery in Washington State was introduced in 1998 and is funded through House Bill (HB) 2496. In 1999, bull trout was included in this plan, and as a result, WRIA 62 became involved in the HB 2496 Salmon Recovery Process. The Pend Oreille Conservation District (POCD) was appointed as the Lead Entity for the Pend Oreille Salmonid Recovery Team in 2000 under the Salmon Recovery Act (Chapter 77.85 RCW).

The geographic focus of native salmonid recovery planning in the Pend Oreille watershed is WRIA 62, overlapping directly with the Watershed Planning (Chapter 90.82 RCW) area. Locally, focal species for this planning effort are bull trout, westslope cutthroat trout, and pygmy whitefish.

The goal of the Pend Oreille Salmonid Recovery Team effort is to support native salmonid recovery in WRIA 62 by improving critical habitat through a cooperative effort between private citizens and local, state, federal, and tribal governments. The Pend Oreille Salmonid Recovery Team comprises a citizens' advisory group (CAG) composed of local citizen stakeholders. A technical advisory group (TAG) of federal, state, local governments, tribes, and private organizations guides the technical components of the work. As the Lead Entity for the Pend Oreille Salmonid Recovery Team, the Pend Oreille Conservation District provides the forum and administrative support for native salmonid recovery in Pend Oreille County.

The *Strategy for Improvement of Native Salmonid Habitat in the Pend Oreille Watershed, Washington Water Resource Inventory Area 62* (Pend Oreille Conservation District, 2004) was created to serve as a guide for salmonid recovery planning within WRIA 62. The plan (included in Appendix I) uses the best available science, local citizen's knowledge, and technical expertise to identify and prioritize actions necessary for improvement of native salmonid habitat and populations. The Strategy serves the following purposes:

- Helps potential project sponsors select projects that clearly fit into a collective, unified recovery strategy;
- Aids in the project prioritization process;

- Facilitates coordination and cooperation between local natural resource and fisheries managers concerning specific projects, efforts, and strategies; and,
- Identifies methods of building public support for native salmonid recovery in WRIA 62.

Funding for habitat improvement projects needed for native salmonid recovery is administered by the State Salmon Recovery Funding Board (SRFB). Applications for this funding within the Pend Oreille Watershed are prioritized by the Pend Oreille Salmonid Recovery Team, then submitted to the SRFB. Grants for the 5th Round Funding Cycle by the Salmon Recovery Funding Board were announced December 9, 2004. Funding received for work to be completed in the Pend Oreille Watershed is as follows:

- \$725,144 to the Town of Ione for removing the Cedar Creek Dam to allow fish migration;
- \$85,563 to the Pend Oreille Conservation District for assessing the barriers to fish migration in the Priest River basin; and,
- \$113,735 to the Pend Oreille Conservation District for improving fish passage in Indian Creek.

5.1.3 Federal Endangered Species Act (ESA) Bull Trout Recovery Planning

The U.S. Fish and Wildlife Service (USFWS) issued a final rule listing the Columbia River and Klamath River populations of bull trout (*Salvelinus confluentus*) as Threatened under the ESA on June 10, 1998 (63 FR 31647). As a result, the USFWS is developing recovery planning strategies for bull trout populations throughout Washington. A draft plan was released in 2002. A team of local biologists, including several from the Pend Oreille Salmonid Recovery Team Technical Advisory Group, assisted in development of the plan.

To facilitate the recovery planning process and avoid duplication of effort, the recovery team adopted the logistical framework proposed in the 1999 draft statewide strategy to recover salmon entitled "Extinction Is Not an Option" (WGSRO, 1999). As recommended in this draft strategy, bull trout recovery planning areas (or "recovery units") overlap the state's salmon recovery regions. The use of recovery units will allow for better coordination during salmon and bull trout recovery planning and implementation. The Northeast Washington Recovery Unit is one of 22 recovery units designated for bull trout in the Columbia River Basin.

The geographic area for Bull Trout Recovery under ESA Planning is broader than that of Watershed Planning (per Chapter 90.82 RCW). The Northeast Washington Recovery Unit encompasses the mainstem Columbia River and tributaries above Chief Joseph Dam up to the Canadian border. Major tributaries include the San Poil, Spokane, Kettle, Colville and Pend Oreille rivers. Based on survey data and professional judgment, the Northeast Washington Recovery Unit Team identified one core area (Pend Oreille River) in the recovery unit. For the purposes of recovery, a core area represents the closest approximation of a "biologically functioning unit." Core areas consist of core habitat that could supply all the necessary elements for every life stage of bull trout (e.g., spawning, rearing, migratory, and adult), and have one or more groups of bull trout. Core areas are the basic units by which recovery within a recovery unit is gauged.

5.1.4 Kalispel Natural Resources Department (KNRD) Fish and Wildlife Management Plan

The Kalispel Tribe's Fish and Wildlife Management Plan has provided guiding principles to the Kalispel Tribe's Natural Resources Department (KNRD) since 1997. The KNRD Fish and Wildlife Management Plan (KNRD, 1997) outlines the mission, goals, and objectives for sound resource management on and in the lands transferred to reservation status pursuant to Executive Order dated March 23, 1914. The 1997 plan focuses on a pragmatic watershed approach to natural resource management. It directs the KNRD toward "the enhancement and management of native, locally adapted biota" and also calls for "the management of introduced biota where native enhancement and management are not feasible." The KNRD expects an updated version of the 1997 plan to be presented to the Tribal Council for approval during 2005. The updated plan will likely be conceptually similar to the 1997 plan but will account for changes in law and policy that have occurred since the adoption of the 1997 plan.

Tribal biologists, as directed by the plan, are involved in numerous forums charged with development and implementation of environmental and natural resources policy and management. These efforts take place on and near the Kalispel Indian Reservation first and foremost but extend throughout Kalispel Ceded Lands. Kalispel tribal biologists are involved in a variety of forums addressing fish and fish habitat management, water resources development and protection, land use, and cultural resources management and protection. Priority, however, is often given to leveraged funds resulting in implementation and restoration projects.

5.1.5 Colville National Forest Management Plan

The Colville National Forest is currently managed under the 1988 Colville National Forest Land and Resource Management Plan (USFS, 1988). The goal of the Plan is to provide a management program reflective of a mixture of management activities that allow use and protection of National Forest resources; fulfill legislative requirements; and address local, regional, and national issues and concerns. The overall goal of this plan is to provide a strategy or framework for quality management of the Colville National Forest that is responsive to the needs of the public and which provides for the maximum public net benefit within the context of multiple uses.

In 2003, a team from the US Forest Service began working on updated forest plans for the Colville, Okanogan, and Wenatchee National Forests. The updated plans will incorporate elements of the Northwest Forest Plan into the local forest plans, and will also incorporate data, science, and goals of the Interior Columbia Basin Ecosystem Management Report. The updated Colville National Forest Plan is expected in 2006. Information about the current planning process can be found at: <http://www.fs.fed.us/r6/colville/cow>.

5.1.6 Idaho Panhandle National Forest Management Plan

The Idaho Panhandle National Forest is currently managed according to the 1987 Idaho Panhandle National Forest Land and Resource Management Plan (Forest Plan). This plan guides all natural resource management activities in and establishes management strategies for the Forest. It describes management practices, levels of resource production and management, and availability and suitability of lands for resource management.

The Idaho Panhandle Forest Plan is currently undergoing revision with the Kootenai National Forest Plan. More information about this current planning process can be found at: <http://www.fs.fed.us/kipz>.

5.1.7 Joint Stock Assessment Project

The Kalispel Natural Resources Department (KNRD) leads the Joint Stock Assessment Project (JSAP) which, in part, collects and maintains fish distribution and habitat data for the area in Washington that is above Chief Joseph dam and blocked to anadromous fish passage. The JSAP is a cooperative project, funded by BPA and lead by KNRD, with the Spokane Tribe, Colville Tribe, and Washington Department of Fish and Wildlife as cooperators. Current data contributors, other than the coordinating entities, include the Colville National Forest, Eastern Washington University, and the Department of Ecology. Fisheries and habitat data has been compiled into a 195 megabyte database written using Microsoft SQL Server 2000. The Kalispel Tribe is currently working with a consultant to build a web-enabled geographical user interface using ArcIMS. The database is hosted by the Kalispel Tribe in Spokane on a server with over 240 gigabytes of space. There is space available to host additional data.

5.1.8 Tri-State Water Quality Council

The Tri-State Water Quality Council is a non-profit group that works to improve water quality throughout the Clark Fork River and Pend Oreille River in Montana, Idaho and Washington. The Council works to carry out the water quality protection measures outlined in the Clark Fork - Pend Oreille Basin Water Quality Study (EPA, 1993). Primary planning objectives of this study are to:

- Control nuisance algae growth in the Clark Fork River by reducing nutrient concentrations from point and non-point sources of pollution;
- Protect Pend Oreille Lake water quality by maintaining or reducing current rates of nutrient loading from the Clark Fork River;
- Reduce near shore eutrophication in Pend Oreille Lake by reducing nutrient loading from local non-point sources; and,
- Improve Pend Oreille River water quality through aquatic weed management and non-point source controls in tributaries.

To carry out these objectives, the Council has developed a basin-wide water quality monitoring program, public education programs, and numerous ad hoc committees focused on point and non-point pollution sources.

The Council's goals for 2000-2005 are:

1. Develop a stable funding base - including congressional, agency and philanthropic support;
2. Involve non-point source groups in the development and implementation of in-stream targets and programs;
3. Continue to integrate good science (data collection, analysis, interpretation and sharing) in all Council activities including the basin-wide monitoring program;
4. Continue to implement and modify the VNRP to meet 10-year targets;
5. Develop a Pend Oreille Lake management strategy;
6. Ensure quality staff to adequately administer programs and manage the organization;
7. Continue to ensure the health and development of the Council through:

- Agency commitment;
 - Expanded networking; and,
 - Building trust in relationships.
8. Improve public involvement through:
- Increasing dialogue among groups working on different issues;
 - Increasing public awareness of water quality threats and basin history; and,
 - Communicating benefits.

5.1.9 Transboundary Gas Group

The Transboundary Gas Group (TGG) is a voluntary coalition of agencies, tribes and industry from Canada and the US that formed in 1998 to address system-wide dissolved gas concentrations throughout the Columbia River basin. The TGG was formed to help coordinate dissolved gas planning activities between Canada, the United States, tribes, first nations, and other organizations. The group's goal is, "to reduce dissolved gas, on a system-wide basis, in the most cost-effective manner possible, for all aquatic life."

The Transboundary Gas Group meets twice each year. The latest developments in dissolved gas monitoring, abatement methods, modeling, and biological effects are discussed at the meetings. The group has also offered opinions and guidance regarding dissolved gas questions that have arisen in the Pacific Northwest. Further information about the group can be found at: www.nwr.noaa.gov/1hydroweb/hydroweb/tgg.html

5.1.10 Columbia River Treaty

The Columbia River Treaty was signed between Canada and the United States on January 17, 1961. The Treaty relates to the management and use of the Columbia River for hydroelectric power generation, flood control, storage, and diversion. The treaty directed Canada to construct three dams within Canada (Mica, Keeleyside and Duncan Dams) in order to provide for over 15 million acre feet of storage. The treaty also directed the construction of Libby Dam in the United States, whose reservoir extends into Canada. The construction of these storage dams increased flood protection and provided additional storage and power generation capacity. In return for providing storage on the Columbia River, the United States agreed to provide Canada with hydroelectric power generated on the River (or payment for that power), as well as payment for the flood control benefits provided by the Canadian dams.

5.1.11 VARQ

Variable Discharge, or "VARQ" is the name given to the Army Corps of Engineers alternative flood control operation plan being used at the Hungry Horse reservoir in the Pend Oreille Clark Fork Drainage. VARQ was designed in response to a National Marine Fisheries Service and US Fish and Wildlife Service Biological Opinion for the Federal Columbia River Power System. VARQ helps assure refill of the reservoir, and thus helps with flow augmentation for sturgeon, bull trout, salmon and steelhead stocks listed as threatened or endangered. In addition, VARQ moves some flood

control releases from Hungry Horse Dam from the winter months to the spring to aid flow augmentation.

Reservoir operation under VARQ is generally the same as previous operation during big water years. In lower water years (80%-100% of average), the winter drawdown is reduced. This provides for higher spring flows that are closer to natural conditions.

The Environmental Assessment for VARQ on Hungry Horse Reservoir was completed in December 2002 (ACOE and BOR, 2002) and Hungry Horse Reservoir began operating under VARQ that year. An Environmental Impact Statement is expected to be completed in September 2005.

5.2 Total Maximum Daily Load (TMDL) Development and Implementation in Washington and Idaho

Under Section 303(d) of the Clean Water Act, the States [i.e., Washington Department of Ecology (Ecology) and Idaho Department of Environmental Quality (IDEQ)] and tribes (Kalispel Tribe) are required to identify and prioritize waterbodies that do not meet water quality standards. This list, known as the List of Impaired or Threatened Waterbodies or 303(d) List, was most recently updated and approved by EPA in WA and ID in 1998. The draft 2002/2004 list is pending EPA approval. The last public comment period for the listings ended in December 17, 2004.

The US EPA requires the states to set priorities for cleaning up 303(d) listed waters and to establish a Total Maximum Daily Load (TMDL) for each under the Clean Water Act. A TMDL is the Total Maximum Daily Load of a pollutant that can be assimilated by a water body while it maintains compliance with the water quality standards for its beneficial use. A TMDL study entails an analysis of how much of a pollutant load a waterbody can assimilate without violating water quality standards, which are based on the beneficial uses (class of uses) assigned to each waterbody.

5.2.1 303(d) Listed Waterbodies in Washington

The primary water quality problems in WRIA 62 are temperature, dissolved oxygen, pH, fecal coliform bacteria, total dissolved gas, exotic aquatic species, sediment, pathogens, and several pesticides. Impaired waterbodies in Washington approved by EPA for listing on the 303(d) list are shown as impaired within the section of a township and range where the sample(s) indicating the exceedance was taken.

In WRIA 62, as in the rest of Washington State, temperature is the most common impairment of surface water quality. Dissolved oxygen levels are also listed for several tributaries in WRIA 62. Dissolved oxygen and temperature are closely related. The capacity of water to dissolve oxygen decreases with increasing temperature, and salmonids are sensitive to dissolved oxygen levels as well as temperature. Exotic aquatic species, especially Eurasian watermilfoil (*Myriophyllum spicatum*) are on the 303(d) list for the Pend Oreille River. Other 303(d) listed parameters include total dissolved gas (a result of regional hydropower facilities' operations) and several organic compounds, mostly pesticides or their by-products. Skookum Creek is on the 303(d) list for fecal coliform, most probably due to land use practices. The 1998 and draft 2000 /2004 303(d) listed waterbodies are illustrated on Figure 4-7 and 4-8.

5.2.2 TMDLs in Washington

In 1998, Ecology signed a Memorandum of Agreement with the EPA and agreed to have Total Maximum Daily Loads in place for over 1500 water quality parameters by 2013.

Ecology is required by EPA to include the following elements in a TMDL study (Ecology, 2002):

- Technical study identifying the pollutants causing the water quality problem and the sources of these pollutants;
- Waste loads or load allocations for pollutant sources which distribute allowable levels of pollutant discharges among contributing sources;
- A margin of safety to ensure water quality standards will be met under the worst conditions likely to be experienced;
- Population growth factor to ensure the allocations will continue to be adequate for more than the immediate time period;
- A consideration of seasonal variation of flows and contaminant concentrations (water quality standards must be met during all seasons of the year);
- An implementation strategy to prevent, reduce or clean up excess pollution;
- A follow-up monitoring plan to demonstrate success of pollution controls contained in the implementation plan or the need for additional action;
- An administrative record;
- Reasonable assurances for the success of the implementation plan;
- An estimate of when the waterbody will meet standards; and
- Public involvement at all key decision steps of the process.

There are currently no approved TMDLs in WRIA 62. However the following TMDLs are ongoing in WRIA 62 (Figure 4-6 and Table 4-6):

- Temperature for the Pend Oreille River;
- Total dissolved gas (TDG) for the Pend Oreille River; and,
- Temperature in the Colville National Forest.

5.2.3 303(d) Listed Waterbodies in Idaho

The Idaho Department of Environmental Quality (IDEQ) has a two-part process for monitoring water quality and determining whether a waterbody fully supports designated and existing beneficial uses. The first part is the Beneficial Use Reconnaissance Project (BURP), which relies heavily on biological parameters and aquatic habitat as outlined in the Water Body Assessment Guidance II (Grafe et al., 2002). Under the BURP project, data is gathered systematically from year to year in field surveys for macroinvertebrates (aquatic insects), fish, water chemistry, and habitat conditions. Additional data from outside sources may also be used if relevant. The data is evaluated using the Water Body Assessment Guidance II (WBAG II) to determine the water body's status with respect to meeting water quality standards. Where standards are not met, the water body is added to the 303(d) list.

In the second part of the process, a sub-basin assessment is conducted to determine pollutant sources in the 303(d) listed waters, and IDEQ gathers additional data to supplement the initial assessment. After this period of further study, the water body is de-listed (if beneficial uses are not impaired), or a TMDL is developed to restore the impaired water body.

In Idaho, when a sampling station deems a stream impaired, all locations upstream in the watershed are also considered impaired. Therefore, if a fourth order stream location is found to be impaired, all fourth order streams in the watershed would be listed as impaired. If a first order stream is considered impaired, a TMDL would be needed for the entire watershed. This differs from Washington where a stream is listed on the 303(d) within the section of a township and range where the sample(s) indicating the exceedance was taken.

Water quality impairments in the Pend Oreille drainage in Idaho include temperature, sediment, dissolved oxygen, total dissolved gas, and pathogens. The 1998 and draft 2000/2003 303(d) listed waterbodies are illustrated on Figure 4-7 and 4-8.

5.2.4 TMDLs in Idaho

There are currently six approved sediment TMDLs and one approved temperature TMDL in streams within the Priest River watershed that have the potential to impact water quality downstream in WRIA 62 (Figure 4-6 and Table 4-6). These TMDLs are:

- Sediment for Reeder Creek, Kalispel Creek, Binarch Creek, Lower West Branch Priest River, the East River watershed and the Lower Priest River; and,
- Temperature for the East River watershed.

In addition, the following TMDLs are planned in the near future:

- Temperature for Hughes Fork, Granite Creek, Reeder Creek, Kalispel Creek, Binarch Creek, Lower West Branch Priest River and the Lower Priest River; and,
- Sediment, temperature and total dissolved gas for the Pend Oreille River (from Lake Pend Oreille to the Washington – Idaho border).

The total dissolved gas (TDG) issues for the Clark Fork - Pend Oreille system in Idaho are primarily being addressed, at the current time, through implementation of the Gas Supersaturation Control Program for the Clark Fork Project (Avista, 2004). This TDG program focuses on operations of the Cabinet Gorge Hydroelectric Development, eight miles upstream of Pend Oreille Lake. In 2005, Idaho DEQ will initiate a sub-basin assessment and TMDL effort for the Pend Oreille River. TDG issues will be examined as they pertain to the Albeni Falls Hydroelectric Project and river conditions between Albeni Falls and the Idaho - Washington state line.

5.3 Growth and Land Use Planning

This section provides information on processes that are relevant to growth and land use planning.

5.3.1 Growth Management

In 1990, Washington State's Growth Management Act (GMA) (Chapter 36.70A RCW) provided for comprehensive planning with local control, with the intent of encouraging conservation, responsible use of lands and resources, and sustainable economic development. The GMA required the adoption of comprehensive land use plans to designate urban growth areas for concentrated development and growth, designate resource lands to preserve and plan for long term resource use (mining, forestry, and agriculture), and retain the integrity, character, and sustainability of these lands. This concentrated growth also provides a structure such that increasing populations in urban areas are served by a regulated water source rather than an exempt (from water right requirements) Group B system or individual well.

5.3.2 Pend Oreille County Comprehensive Planning

The Growth Management Act was amended in 1995 to require counties and cities to include the best available science in developing policies and development regulations to protect the functions of critical areas. The schedule for this review, evaluation, and update was established by RCW 36.70A.130 in 2002. This schedule requires Pend Oreille County and all cities within the County to complete this update by December 1, 2007. Pend Oreille County is tentatively scheduled to have its first Comprehensive Plan finalized in June 2005.

5.3.3 Shorelines Management

Washington's Shoreline Management Act (SMA), Chapter 90.58 RCW, was adopted by the public in a 1972 referendum *"to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines."* The SMA has three broad policies:

- **Encourage water-dependent uses:** "uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the states' shorelines..."
- **Protect shoreline natural resources,** including "...the land and its vegetation and wildlife, and the water of the state and their aquatic life..."
- **Promote public access:** "the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally."

The next Pend Oreille County Shoreline Master Plan update is scheduled for 2012. The process for this update is as follows:

1. **Conduct Shoreline Inventory and Analysis.** This process includes the gathering of relevant reports and information, as well as synthesis of information from existing reports.
2. **Determine Environmental Designations** for shorelines. The designations used by Shoreline Management Plans will change with the next update. These designations

will be: natural, rural-conservancy, aquatic, high-intensity, urban conservancy, or shoreline residential. Protections afforded to each shoreline depend on its designation.

3. Conduct a **Cumulative Impact Analysis** to determine impacts of reasonably foreseeable future development on shoreline ecological functions.
4. **Develop a Restoration Plan** for the shorelines.

5.3.4 Water Conservation, Reclamation and Reuse (HB 1338)

House Bill 1338, often called the “Muni Bill” clarified water rights permitting for “municipal water suppliers”. Ecology reported the following points about HB 1338:

1. Clarifies the definition of municipal water supply purposes (RCW 90.03.015(4)) as beneficial use of water: (a) for residential purposes through fifteen or more residential service connections or for providing residential use of water for a nonresidential population that is, on average, at least twenty-five people for at least sixty days a year; (b) for governmental or governmental proprietary purposes by a city, town, public utility district, county, sewer district, or water district; or (c) indirectly for the purposes in (a) or (b) through the delivery of treated or raw water to a public water system for such use. If water is beneficially used under a water right for the purposes listed in (a), (b), or (c), any other beneficial use of water under the right generally associated with the use of water within a municipality is also for "municipal water supply purposes," including, but not limited to, beneficial use for commercial, industrial, irrigation of parks and open spaces, institutional, landscaping, fire flow, water system maintenance and repair, or related purposes. If a governmental entity holds a water right that is for the purposes listed in (a), (b), or (c), its use of water or its delivery of water for any other beneficial use generally associated with the use of water within a municipality is also for "municipal water supply purposes," including, but not limited to, beneficial use for commercial, industrial, irrigation of parks and open spaces, institutional, landscaping, fire flow, water system maintenance and repair, or related purposes. *(NOTE: Under current law, water rights for municipal supply purposes do not “relinquish” due to lack of use.)*
2. Authorizes the use of water rights held by municipal water suppliers for environmental purposes (e.g., fish and wildlife, water quality, habitat values) and to implement watershed plans, habitat conservation plans, FERC licenses, etc.
3. Clarifies that the population or number of connections listed on existing water rights held by municipal water suppliers is not a limiting factor if there is a Department of Health water system plan approval or specified number.
4. Clarifies that the place of use of water rights held by municipal water suppliers includes the municipal supplier’s service area, as authorized by the Department of Health. Any change in a place of use must not be inconsistent with land use or watershed plans. Establishes a duty to serve within the authorized retail service area.
5. Clarifies the legal status of existing water rights held by municipal water suppliers certificates issued for future growth by declaring them to be in good standing.

6. Requires the Department of Health to develop conservation regulations and to adopt comprehensive rules by December 2005. To fund the development and implementation of the conservation program, the bill allows the Department of Health to collect additional operating permit fees equivalent to 25 cents per residential service connection per year through June 2007.
7. Requires the Department of Health to consult annually with Ecology, Fish and Wildlife, and Community, Trade and Economic Development, regarding coordination of water system plans and watershed plans.
8. Requires watershed implementation plans to address the future use of inchoate water rights.
9. Prioritizes existing instream flow funding to areas where the exercise of inchoate rights may greatly affect streamflows.
10. Clarifies requirements for consideration of water reuse when preparing water supply and wastewater treatment plans.
11. Allows inchoate (authorized but never used) surface water rights to be moved outside of the authorized service area if instream flows are addressed, or in cases of public health emergencies.
12. Authorizes a pilot watershed agreement to allow water right holders to gain additional flexibility and certainty in exchange for contributing to watershed objectives.

5.3.5 Forest Practice Rules and Forest and Fish Report

The 1974 Forest Practices Act (Chapter 76.09 RCW) defines a plan to protect public resources while assuring that Washington continues to be a productive timber growing area. The Act regulates activities related to growing, harvesting or processing timber on all local government, state and private forest lands. Practices related to growing, harvesting or processing timber, including, but not limited to, road construction and maintenance, thinning, salvage, harvesting, reforestation, brush control, and using fertilizers or pesticides are regulated under the act and its corresponding rules (Forest Practice Rules, Chapter 222 WAC).

The Forest Practice Rules were updated in 2001 according to needs described in the 1999 Forest and Fish Report (and are now often called the “Forest and Fish Rules”). The 1999 Forest and Fish Report contained recommendations on the development and implementation of rules statutes and programs intended to:

- Provide compliance with the Endangered Species Act for aquatic and riparian-dependent species on non-federal forest lands;
- Restore and maintain riparian habitat on non-federal forest lands to support a harvestable supply of fish;
- Meet the requirements of the Clean Water Act for water quality on non-federal forest lands; and,
- Keep the timber industry economically viable in the State of Washington.

The 2001 Forest Practice Rules contain directives for adaptive management, road construction and maintenance, forest practices in aquatic and riparian areas, watershed analysis, and other facets of

forest practices. These rules can be found in Chapter 222 WAC, and apply to forest practices conducted on state and privately owned timberlands.

6.0 IMPLEMENTATION

The purpose of this chapter is to provide a framework for implementation of the WRIA 62 Watershed Management Plan that meets the requirement of the Watershed Planning Act and that addresses issues associated with implementation as defined by the Planning Unit.

6.1 Watershed Planning Implementation Requirements

Implementation of the Watershed Management Plan occurs within Phase IV of the Watershed Planning process. Following approval of the Watershed Management Plan, the Watershed Planning Implementing Body can apply for Phase IV implementation funding. The Watershed Planning Implementing Body must complete and submit a detailed Implementation Plan to Ecology within one year of accepting implementation grant funding in order to receive grants for the second and all subsequent years of implementation grant funding. In accordance with RCW 90.82.043 (Appendix C1), the implementation plan must include:

- A description of coordination and oversight responsibilities;
- Identification of any agreements, rules or ordinances needed to implement actions;
- Identification of state or local approvals and permits needed to implement actions;
- A description of how the actions to be implemented will be funded;
- Strategies to provide water for instream flows, agriculture and commercial, industrial and residential water use along with timelines to achieve these strategies and interim milestones to measure progress;
- An effort to consult with other entities planning within WRIA 62 in order to eliminate any activities or policies that are duplicative or inconsistent; and,
- An accounting of inchoate (unused) municipal water rights and how they will be used to meet future water supply demand.

6.2 Implementation Issues and Recommended Actions

The following implementation problem statements, goal and management actions were identified by the WRIA 62 Planning Unit during Phase III of Watershed Planning. This chapter of the Plan (Chapter 6) fulfils the goal and objective to develop an implementation guideline for the Plan. Table 3-7 summarizes the implementation issues, actions and responsible parties.

- 1. Management entities, roles and action plans are not coordinated.**
- 2. Education needs to support watershed management objectives are unknown.**
- 3. Funding opportunities to support watershed management objectives are unknown.**
- 4. There is no formal mechanism to modify and update the Phase III Plan.**
- 5. The Legislature currently prohibits spending of supplemental assessment funds during implementation.**

Goal: To develop guidelines for implementation of the WRIA 62 Watershed Management Plan.

Management Action(s)

- IMP-1** Designate a locally based Implementing Body to coordinate implementation of the watershed management plan consistent with Chapter 90.82 RCW.
- IMP-2** Prioritize educational needs, projects, policies and management strategies for funding and implementation.
- IMP-3** Continue to identify alternate funding sources (alternate to watershed planning funds).
- IMP-4** Request that the State Legislature allow Supplemental Phase II Watershed Planning funds to be applied for and spent during Phase IV implementation.
- IMP-5** Consider implementation funding for grant writers.
- IMP-6** Develop recommendations (such as cooperative agreements) for formalizing obligations on the entities identified as responsible for Plan actions.
- IMP-7** Develop formal mechanism to update and modify the Phase III Plan without having to go through a formal County hearing.

6.3 Watershed Plan Implementing Body

The Planning Unit recommends that an Implementing Body be formed to coordinate and prioritize implementation of the Plan actions. Based on Planning Unit discussions during the Phase III process, it is anticipated that the Phase III Planning Unit will evolve into a governing body for Plan implementation. The Planning Unit recommends that the current Memorandum of Agreement (Appendix C2) between the Watershed Planning Initiating Governments (i.e. Pend Oreille County, the Pend Oreille Public Utility District No. 1, the City of Newport and the Kalispel Tribe), which covers Phase I, II and III of Watershed Planning, be amended to include Phase IV. The Planning Unit's vision is that willing members of the Planning Unit as well as others within the community will volunteer to make up the Implementing Body so that there is strong continuity between the Planning and Implementation Phases.

The final structure of this entity will be determined as the initial step in Phase IV Implementation and will require establishment of a Memorandum of Agreement (MOA) and operating procedures specific to Plan implementation. In order to be eligible for Watershed Planning implementation funds, the Implementing Body must continue to be representative of the community.

6.4 Mechanism to Allow for Plan Updates

The WRIA 62 Planning Unit acknowledges that there may be a need to update this plan during the Implementation Phase. Therefore it is important that the Implementing Body develop operational procedures to allow amendment of and additions to the Plan.

6.5 A Living Plan

The Planning Unit sees this document as a living plan that will be revised and updated by the Implementing Body as needed to address current concerns. It is anticipated that the Implementing

Body will prioritize actions for implementation based on the importance of the issues to be addressed, community support, a high likelihood of success and cost-sharing opportunities associated with implementation of the action. It is intended that this plan will be a long-term planning document and will continue to be implemented into the future after Phase IV and as resources allow.

6.6 Issue Prioritization

With the intent of prioritizing actions for implementation, the WRIA 62 Planning Unit members ranked the issues identified in this plan in November, 2004. The results are presented in Table 6-1. The top tier issues (ranked 1 through 10) are listed on the following page. The WRIA 62 Planning Unit considers implementation of the actions to address these issues as the priority actions for the Implementing Body to address in the event that funding, resources and time are limited. It is also acknowledged that additional priority actions may be identified during implementation and that the Implementation Body has the authority to further prioritize the issues and actions. The top tier issues (and their corresponding actions) are therefore presented as an initial guide for implementation.

Summary of Top Tier Issues for Implementation

RANK	ISSUE
1	Growth and Land Use Planning, GR&LU-1 There is a need to integrate information on current and projected water supply and demand with land use.
2	Water Quality, WQUAL-2 Eurasian watermilfoil and other aquatic nuisance weeds pose a threat to native habitat and public safety in the Pend Oreille watershed.
2	Water Rights, WR-2 When future minimum instream flows are established, any new water rights that are junior to the minimum instream flows may be restricted when minimum instream flows are not met. There is a need to quantify water available for future allocation and/or reservation.
4	Water Quantity, QUANT-2a To effectively address competing water needs now and in the future, instream flow needs for the Pend Oreille River mainstem and the tributaries to the Pend Oreille River and Priest River Basin in WRIA 62 should be more fully understood in areas where water demand is expected to increase.
5	Water Quantity, QUANT-2b There is a need to ensure that the Watershed Planning Implementing Body is involved in instream flow studies, study recommendations and any instream flow rule-making in WRIA 62.
6	Economic Impacts, EC-2 There is a need to ensure meaningful community input into water regulations.
7	Habitat, H-3b Stream bank erosion in WRIA 62 along the tributaries to the Pend Oreille River is resulting in degraded riparian habitat and water quality. The causes of stream bank erosion need to be confirmed and mitigated.
7	Growth and Land Use Planning, GR&LU-3 Road building and improper maintenance can negatively impact water quality and aquatic habitat.
9	Economic Impacts, EC-1 b There is a need to identify and inform local communities about resources to assist local communities in complying with water regulation. (Note that the goal of this issue is local community understanding of and compliance with water regulation in WRIA 62).
10	Water Quality, WQUAL-3b There is a need to participate in the TMDL processes and provide input on TMDLs for the mainstem Pend Oreille River.
10	Habitat, H-3a River bank erosion along the mainstem of the Pend Oreille River is resulting in degraded aquatic habitat and water quality. The causes of erosion need to be confirmed and mitigated.
10	Water Quality, WQUAL-4a The natural quality of drinking water provided to some communities does not meet Washington State secondary drinking water standards.
10	Water Quantity, QUANT-3 Flood Control. (Note that the goal of this issue is to have more local input into flood related issues in WRIA 62).

6.7 Funding

The WRIA 62 Watershed Planning Unit considers this working plan and, as such, additional actions for implementation may arise in the future once projects are implemented, data collected and issues better understood. In order to implement the actions in this plan and continue development of concepts into new actions for implementation, annual funding will be required. The following paragraphs provide a description of funding sources. The actual costs of Plan implementation will be determined in Phase IV.

Phase IV implementation funds that include:

- Up to \$100,000 for the first three years of implementation, with a 10% required match (\$11,111 per year). Second and third year funding is conditioned on the completion of an approved Detailed Implementation Plan.
- At the end of three years, up to \$50,000 for the fourth and fifth years of implementation, with a 10% required match (\$5,556 per year).

Matching funds may include financial contributions, in-kind goods and services (including volunteer services).

The WRIA 62 Watershed Planning Unit also recommends that the Legislature consider making supplemental funding associated with Phase II Planning available for use in Phase IV Implementation for those watersheds (such as WRIA 62) that did not apply for supplemental Phase II funding for instream flow, water quality or storage planning elements. If the Legislature makes these funds available, an additional \$300,000 (\$100,000 each to support instream flow, water quality or storage assessments) may be available.

Other potential funding sources are listed below. Additional potential funding sources are identified and described in Appendix K of this plan.

- Specific grants that may be available through the Washington State Departments of Ecology, Fish and Wildlife and Health that will vary over time.
- Federal funding sources for monitoring, pollution prevention and control, watershed and drinking water source protection, wetlands and wildlife. These funding sources are compiled in EPA's *Catalog of Federal Funding Sources for Watershed Protection*.
- Centennial Clean Water Funds available through the Washington State Departments of Ecology.
- Pend Oreille Salmonid Recovery Team with funding through the Salmon Recovery Funding Board (SRFB).
- The Northwest Power and Conservation Council funding of habitat restoration projects and public involvement and education through the Bonneville Power Administration (BPA).
- Fundraising by the Watershed Planning Implementing Body.

The WRIA 62 Planning Unit recommends that the Implementing Body consider hiring a grant writer to assist with applying for these potentially available funds.

6.8 Plan Obligations

According to the Watershed Planning Act, Washington State and Pend Oreille County are obligated to implement plan actions for those actions that the entities have agreed to be obligated to. Other planning participants may also agree to be obligated as per RCW 90.82.130(3)(c).

The following summarizes the various types of Plan obligations (as per RCW 90.82.130(3)):

- State agencies must adopt by rule the obligations of both State and county governments (or, with consent of the Planning Unit, may adopt policies and procedure in lieu of rules).
- State agencies must fulfill their obligations as soon as possible after Plan approval.
- Counties that have not opted out of the planning process are to adopt any ordinances necessary for implementation of their agreed upon obligations per RCW 90.82.130(3)(b) and take other actions to fulfill obligations and recommendations as soon as possible after Plan approval.
- Other participants (in accordance with RCW 90.82.130(3)(c)) that voluntarily accept an obligation must adopt policies, procedures, agreements, rules or ordinances as relevant to implement Plan actions and should annually review implementation needs with respect to budget and staffing.

The Watershed Planning Unit recognizes that implementation is subject to budgetary constraints and that no entity is obligated to implement an action unless adequate funding is available to do so.

Tables 3-1 through 3-7 list the agencies and groups responsible for implementation of each action recommended in this plan.

6.9 Implementation Checklist

The following checklist summarizes the initial implementation steps described in this Chapter. This checklist is intended to guide initial implementation activities and development of the detailed Implementation Plan. The actual steps taken during implementation will be determined by the Implementing Body.

- Formalize structure of the Watershed Planning Implementing Body and establish a Memorandum of Agreement (MOA) and operational procedures specific to Plan implementation and amendment. Develop and sign cooperative agreements formalizing specific implementation responsibilities.
- Complete a Detailed Implementation Plan in accordance with RCWs 90.82.043 and 048.
- Prioritize actions for funding and implementation and identify permits and approvals needed to implement these actions.
- Develop a mechanism to track the progress and effectiveness of each action implemented and for determining appropriate steps to take if the results are unsatisfactory or contrary to those expected. (Note that top tier issues WR-2, QUANT-2a, QUANT-2b include actions that are

intended to provide water for instream flows and future growth and are therefore considered as the strategies needed to meet this implementation requirement).

- Develop a mechanism to consult with other entities that are planning within WRIA 62 when an action is planned for implementation in order to eliminate any activities or policies that are duplicative or inconsistent.
- Quantify inchoate (unused) municipal water rights and address how they will be used to meet future water supply demand.
- Establish the mechanism for the Implementing Body to contract with qualified consultants and individuals to assist with implementation of actions.
- Consider hiring a grant writer to identify and apply for additional funding sources (additional to Phase IV Implementation Funds available through the Legislature).

7.0 STATE ENVIRONMENTAL POLICY ACT (SEPA)

This Chapter of the Pend Oreille River Watershed Management Plan provides documentation of programmatic State Environmental Policy Act (SEPA) compliance specific to the Pend Oreille Water Resource Inventory Area 62 (WRIA 62) Watershed Management Plan (Plan) for adoption of the Plan by Pend Oreille County.

This Chapter provides the following information:

- A description of the process used to evaluate consistency of the WRIA 62 Plan with the statewide Programmatic Environmental Impact Statement (EIS) for Watershed Planning;
- A summary of the assumptions and judgments used in determining SEPA compliance of WRIA 62 Plan actions; and,
- Documentation of compliance of each action recommended in the WRIA 62 Plan with requirements for programmatic, non-project SEPA review.

7.1 WRIA 62 Plan Approach for Programmatic SEPA compliance

The WRIA 62 Planning Unit discussed the following options for SEPA compliance:

- **Adoption of the statewide programmatic Watershed Planning EIS and Determination of Significance (DS).** This is an option if the statewide programmatic Watershed Planning EIS adequately addresses all probable adverse impacts. The County (as lead SEPA agency) will use all or part of an existing document (the statewide programmatic Watershed Planning EIS) to meet all or part of the proponent's responsibilities under SEPA to prepare an EIS or other environmental document. A Determination of Significance (DS) is a written decision by the lead SEPA agency that the proposal is likely to have a significant adverse environmental impact and therefore an EIS is required (WAC 197-11-310 and WAC 197-11-360).
- **Adoption, DS, and Addendum.** Same as DS option above, with the addition of an addendum which provides local decision makers with additional local information on compliance with the statewide programmatic Watershed Planning EIS.
- **Adoption, DS, and Supplemental EIS.** If the statewide programmatic Watershed Planning EIS addresses some but not all of the probable significant adverse environmental impacts, a supplemental EIS is necessary.
- **Determination of Non-Significance (DNS).** This could be issued if it is determined that there are no probable significant adverse impacts associated with the recommended actions contained in the WRIA 62 Plan. In the event that a DNS includes mitigation measures as a result of the process specified in WAC 197-11-350, a **Mitigated Determination of Non-Significance (MDNS)** could be issued.

The qualifications, assumptions, and consistencies analyzed to achieve programmatic SEPA compliance for the WRIA 62 Plan are included within this Chapter of the Plan (Chapter 7). This Chapter is considered as the addendum to the statewide programmatic Watershed Planning EIS. The purpose of this Chapter is to document the logic used in the SEPA gap analysis and the compliance of each action in the Plan with programmatic SEPA.

The WRIA 62 Planning Unit recommends, upon review of the WRIA 62 Watershed Management Plan (Plan), that Pend Oreille County (as the lead SEPA agency) adopt the statewide programmatic Watershed Planning EIS and issue a determination of significance (DS) to meet its responsibility to prepare a SEPA compliant review of the Plan. Adoption of the statewide programmatic Watershed Planning EIS is addressed with this Chapter (Chapter 7) of the Plan. After adoption of the statewide programmatic Watershed Planning EIS, there is a fourteen (14) day waiting period before an action can be taken to approve the Plan (WAC 197-11-630).

7.2 SEPA and Watershed Planning

The State Environmental Policy Act (SEPA) (Chapter 43.21C RCW) was enacted by the State legislature to ensure that State and local agencies consider likely environmental consequences of proposed actions during decision-making processes concerning such activities. These consequences are considered during the SEPA review process.

Under SEPA rules, non-project actions are defined as governmental actions involving decisions on policies, plans, and programs. Such actions can include the adoption or amendment of policies, programs, and plans, such as Watershed Plans under Chapter 90.82 RCW. Any non-project action must be reviewed under SEPA unless specifically exempted.

The Washington State Department of Ecology (Ecology) published a Final Environmental Impact Statement for Watershed Planning under Chapter 90.82 RCW in August 2003 (Ecology, 2003d). A copy of this statewide programmatic Watershed Planning EIS is available for review at the Pend Oreille Conservation District office in Newport, WA and on the internet at <http://www.ecy.wa.gov/biblio/0306013.html>. Actions that could be included in local watershed plans are considered as SEPA “alternatives” in this statewide programmatic Watershed Planning EIS. Probable significant adverse environmental impacts that may be associated with these “alternatives” were also discussed in the statewide programmatic Watershed Planning EIS. If actions in a local watershed plan are consistent with the alternatives listed in the statewide programmatic Watershed Planning EIS, non-project programmatic SEPA requirements can be fulfilled by the statewide programmatic Watershed Planning EIS.

There are three SEPA compliance processes associated with actions in the WRIA 62 Plan:

- 1) Programmatic coverage of the County Watershed Plan approval process.

Programmatic coverage of the WRIA 62 Plan is achieved through adoption of the statewide programmatic Watershed Planning EIS and the issuance of a Determination of Significance for the WRIA 62 Plan.

- 2) SEPA compliance related directly to rule-making by the State. The State may accept an obligation to propose a Water Resource Management rule as an outcome of actions in the WRIA 62 plan. This SEPA process for rule-making will be implemented by the State when the action is initiated, and is not the responsibility of the Planning Unit or the lead SEPA agency for Watershed Planning.

SEPA compliance for rule-making will be accomplished through a separate SEPA process, lead by the State, at the time the action is implemented.

- 3) Non-programmatic SEPA for specific actions. Some specific project or non-project actions recommended in the WRIA 62 Plan, such as the initiation of a specific construction or management activity, will go through a separate SEPA review of the individual action itself at the time the action is implemented. The SEPA review completed at the current

programmatic, non-project level of the SEPA process is adequate for County approval. Where alternatives in the statewide programmatic Watershed Planning EIS provide coverage for these actions, some of the documentation needed for the project-level SEPA approval process may reference the statewide programmatic Watershed Planning EIS and this Chapter. However, the extent of the project SEPA process needed for each action is dependent entirely upon the nature of the specific action and its potential adverse environmental impacts. In some cases, these individual actions are in their early planning stages and are not sufficiently developed to make a SEPA judgment at the time of plan adoption by the County.

This non-programmatic SEPA review of specific actions is not a prerequisite for the SEPA compliance necessary to achieve County approval of the Watershed Plan, but will generally be necessary for plan implementation.

In summary, this chapter of the WRIA 62 Watershed Management Plan and adoption of the statewide programmatic Watershed Planning EIS fulfills the programmatic SEPA requirements necessary for County approval of the WRIA 62 Plan. SEPA compliance for individual (project and non-project) actions in the WRIA 62 Plan may also be granted during this approval process; however, some actions will be required to undergo specific project or non-project level review at the time that the individual action is implemented.

For federal actions, NEPA compliance is required when the action is implemented. However, this compliance is not a prerequisite for approval of the Watershed Plan by the County, nor is it necessary during the programmatic SEPA review. Additionally, the Watershed Planning Unit cannot obligate a federal agency to implement any actions, but can make recommendations to a federal agency.

7.3 SEPA compliance for the Pend Oreille (WRIA 62) Watershed Management Plan

7.3.1 Plan Consistencies with the Statewide Programmatic Watershed Planning EIS

Recommended actions in the WRIA 62 Plan that are consistent with alternatives described in the statewide programmatic Watershed Planning EIS do not require supplemental information or additional consideration to achieve non-project programmatic SEPA compliance. A SEPA gap analysis was conducted where all alternatives in the statewide programmatic Watershed Planning EIS were reviewed and compared with recommended actions in the WRIA 62 Plan.

The alternatives from the statewide programmatic Watershed Planning EIS that were applied to the WRIA 62 Plan are listed below. Further descriptions of these alternatives and potential environmental impacts can be found in the statewide programmatic Watershed Planning EIS.

The following alternatives apply to one or more actions in the WRIA 62 Plan:

Water Quantity

- WP 1 – Develop and implement municipal conservation programs including demand management and operational efficiency measures.
- WP 2 – Develop and implement agricultural water conservation and irrigation efficiency efforts through regional or irrigation district infrastructure improvements.
- WP 3 – Develop and implement on-farm agricultural water conservation and irrigation efficiency efforts.
- WP 4 – Develop and implement industrial conservation measures.

- WP 5 – Construct and operate water reclamation and reuse facilities (reclamation plants and day use areas) to provide water for beneficial uses.
- WP 7 – Request Ecology to transfer existing water rights for out-of-stream beneficial uses acquired through purchase, lease, voluntary methods, or condemnation to other out-of-stream beneficial uses.
- WP 8 – Request Ecology to transfer existing water rights for out-of-stream beneficial uses acquired through purchase, lease, voluntary methods, or condemnation to instream beneficial uses through the state's Trust Water Right Program.

Instream Flow

- WP 26 – Request Ecology to set instream flows by administrative rule (in the Washington Administrative Code).

Water Quality

- WP 33 – Request conservation districts or irrigation districts to assist in achieving reductions in non-point pollution and/or to implement Total Maximum Daily Loads established for specific federal 303(d) listed water bodies.
- WP 35 – Request local governments and state agencies to continue to implement or more fully implement existing water quality plans, including plans developed under Chapter 400-12 WAC.
- WP 36 – Develop and implement a water quality public education program intended to prevent or reduce non-point pollution with focus on pollution sources associated with an urban setting, or with focus on pollution sources associated with a rural setting.
- WP 37 – Request local governments and Ecology to develop and operate water quality monitoring programs, including installation and maintenance of monitoring devices, to measure the extent of non-point pollution and/or measure the effectiveness of non-point pollution control measures.
- WP 38 – Request local governments to modify Growth Management Act comprehensive plans and other land use plans to help reduce the potential for non-point pollution and/or to implement Total Maximum Daily Loads established for federal 303(d) listed water bodies.
- WP 39 – Request local governments to amend shoreline master programs to help reduce the potential for non-point pollution and/or implement Total Maximum Daily Loads established for 303(d) listed water bodies.
- WP 40 – Request local governments to modify local regulations such as critical areas ordinances, stormwater regulations, and on-site sewage regulations to help reduce the potential for non-point pollution and/or implement Total Maximum Daily Loads established for federal 303(d) listed water bodies.

Habitat

- WP 42 – Implement habitat improvement projects involving construction or placement of instream structures, such as cross vanes, vortex weirs, large woody debris, fish screens, or side channels.

- WP 45 – Request the Washington Department of Transportation, local governments, or other applicable agencies to remove or replace bridges, culverts, roadways, and other infrastructure as necessary to eliminate or reduce their impacts as fish passage obstructions and/or channel constrictions.
- WP 46 – Support construction of fish passage facilities where such facilities do not currently exist.
- WP 47 – Implement habitat improvement projects involving out-of-stream riparian restoration or enhancement such as replanting or bank stabilization projects. Bioengineering methodologies should be incorporated into bank stabilization projects.
- WP 48 – Move river dikes back from existing river channels to allow for floodplain restoration and channel maintenance.
- WP 50 – Request local governments to develop regulations or programs to control sources of sediment that are not addressed through critical areas ordinances or other existing regulations and programs.
- WP 51 – Request local governments to integrate habitat improvement planning into flood hazard reduction plans.
- WP 52 – Request conservation districts and irrigation districts to assist in achieving protection of habitat including, as appropriate, establishment and maintenance of riparian buffers and control of erosion and sedimentation.
- WP 53 – Request local, state, and federal governments, conservation districts, and private entities to acquire land and/or conservation easements for purposes of protecting habitat.
- WP 56 – Support implementation of the recommendations of Washington’s Forest and Fish Report.

7.3.2 Other SEPA Assumptions and Qualifications

During the SEPA gap analysis, a number of recommended actions in the WRIA 62 Plan were found that are not described explicitly by alternatives in the statewide programmatic Watershed Planning EIS. However, it was determined that all of the actions not explicitly covered by the statewide programmatic Watershed Planning EIS either do not have adverse environmental impacts or do not require additional SEPA coverage at the programmatic level for reasons based on the qualifications listed in the bullets below. Therefore an additional EIS is not required. The qualifications and assumptions used to make this determination are provided below.

The following are the qualifications and assumptions that are not specifically discussed in the statewide programmatic Watershed Planning EIS that are relevant to the WRIA 62 Plan:

- Recommended actions that do not have a foreseeable “adverse environmental impact” do not require a SEPA alternative, or a statement of SEPA compliance. The following types of actions are listed in the WRIA 62 Plan and are not expected to have an adverse environmental impact:
 - Recommendations for methods of coordination between interest groups and developing work strategies (Noted in the tables below as **collaboration**);
 - Recommended actions for convening interest/stakeholder groups (Noted in the tables below as **collaboration**);

- Recommendations for finding funding for new or existing projects (Noted in the tables below as **funding**);
- Recommendations for data gathering, data management, and/or project planning (Noted in the tables below as **study**); and,
- Recommendations for public education and/or research. (Noted in the tables below as **public education**).
- Recommendations that call for enforcement of existing regulations or continuation of existing programs that have undergone SEPA review at the initiation of the regulation or program and would not require further review at this time. (Noted in the tables below as **continue existing**).
- Recommended actions that involve review or revision of existing ordinances /policies/programs will go through a SEPA review process during adoption of the revised ordinance/policy/program, therefore these are not subject to individual SEPA alternative statements at this time. However, SEPA alternatives in the statewide programmatic Watershed Planning EIS may also apply to these recommended actions based on the anticipated revisions or changes to the existing ordinances/policies/programs. (Noted in the tables below as **other SEPA**).
- Actions that require rule-making are not expected to comply with SEPA at this time, as they will undergo a separate SEPA review process lead by the State at the time that the rule is made. (Noted in the tables below as **State SEPA**).
- For some actions, too little information is provided to make a SEPA judgment at this time because the action has not been fully developed. No foreseeable impacts are evident at this time. The action may undergo project or non-project level SEPA review at a later date or may be covered under statewide programmatic Watershed Planning EIS alternatives. (Noted in the tables below as **early planning stages**. Where relevant, Watershed Planning EIS alternatives may also be listed.)

7.3.3 WRIA 62 Plan SEPA Compliance Tables

Tables 7-1 through 7-7 in the text below list each action in the WRIA 62 Plan, along with the statewide programmatic Watershed Planning EIS alternative or other analysis criteria used to achieve non-project programmatic SEPA compliance. The tables include a SEPA analysis of the implementation actions presented in Chapter 6 of this plan (Table 7-7) as well as the actions to address the Planning Unit's six issue categories. The tables are included within the text so that Pend Oreille County can use this Chapter of the Plan (Chapter 7) as supporting information to adopt the statewide programmatic Watershed Planning EIS and issue a determination of significance (DS) to meet its responsibility to prepare a SEPA compliant review of the Plan.

In some cases, more than one Watershed Planning alternative or a combination of qualifications and assumptions and alternatives are consistent with one action. Where combinations of alternatives and/or qualifications or assumptions are used, evidence for SEPA compliance is more robust. In a few cases, the alternatives in the statewide programmatic Watershed Planning EIS are more detailed or more fully developed than actions in the WRIA 62 Plan. Consistencies drawn between these more fully developed statewide programmatic Watershed Planning EIS alternatives and Plan actions may be helpful in achieving non-programmatic SEPA coverage for Plan actions when needed, as the statewide programmatic Watershed Planning EIS may again be adopted in future SEPA processes. These alternatives are noted in the tables below as **(WP XX)**.

TABLE 7-1**SEPA Analysis for Water Quantity Actions**

QUANT-1: There is a need to characterize groundwater resources and hydraulic continuity between groundwater and surface water at a local scale in areas where growth and water supply are a potential concern.

Management Action	SEPA Analysis
1. The Watershed Planning Implementing Body will explore the need to, and, if necessary, write grants or hire a grant writer. The objective of this action is to obtain funding to support technical studies to evaluate water resources and hydraulic continuity between surface water and groundwater at a local scale and in areas where growth and water supply are a potential concern. These areas have been identified as the Calispell, Davis, Skookum, Kent and McCloud sub-basins and the mainstem of the Pend Oreille River from the Idaho state-line north to Ione.	Funding, (Study)

QUANT-2a: To effectively address competing water needs now and in the future, instream flow needs for the Pend Oreille River mainstem and the tributaries to the Pend Oreille River and Priest River Basin in WRIA 62 should be more fully understood in areas where water demand is expected to increase.

Management Action	SEPA Analysis
1. The Watershed planning Implementing Body will evaluate the need to conduct instream flow studies and where and how to conduct these studies to address competing water needs in WRIA 62. Priority locations for instream flow setting have been identified as the Calispell, Davis, Skookum, Kent and McCloud sub-basins. The Watershed Planning Unit acknowledges that instream flows may need to be developed for major tributaries in WRIA 62.	Collaboration, Study
2. The Watershed planning Implementing Body will develop a presentation for County Commissioners and other interested stakeholder groups.	Public Education
3. The Watershed planning Implementing Body will support establishment and continuation of stream flow monitoring to improve understanding of flows within the tributaries to the Pend Oreille River and the Priest River in WRIA 62 that are predicted to experience the greatest water demand in the future. Available Phase IV funds may be used to support this effort along with other funds and in-kind services. The Kalispel Tribe has agreed to take on the responsibility of maintaining and downloading dataloggers at the seven stream gages that were installed in the Calispell, Davis, Skookum and Kent sub-basins during the Phase II technical assessment.	Study, Collaboration

QUANT-2b: There is a need to ensure that the Watershed Planning Implementing Body is involved in instream flow studies, study recommendations and any instream flow rule-making in WRIA 62.

Management Action	SEPA Analysis
<p>1. Obligate Ecology and WDFW to provide technical assistance to the Implementing Body during Phase IV Watershed Planning to complete Step A (Scope of Work), Step B (Instream Flow Assessment - field work, analysis and reporting) and Step C (Negotiation of instream flows in a collaborative manner) for instream flows in WRIA 62 (following the collaborative manner described in RCW 90.82.080).</p> <p><i>Note:</i> <i>Ecology will not be obligated to provide technical assistance that involves actual field work, analysis or reporting. Ecology does agree to be obligated to provide technical assistance with the review of documents (scopes of work, analyses, reports etc.) as well as to collaborate with the Implementing Body during the negotiation of flow recommendations. Ecology also clarified that it cannot take on the obligation to involve the WRIA 62 planning entity in instream flow studies that may occur after Phase IV Implementation. It will be the responsibility of the Watershed Planning Implementing Body to make recommendations to Ecology at the end of the Phase IV if this situation is anticipated.</i> <i>WDFW agree to be obligated to provide technical assistance to the Watershed Planning Implementing Body for Steps A, B and C as priorities, funding and staff resources allow.</i></p>	State SEPA, Study, (WP 26)
<p>2. Recommend that the Legislature provide Ecology with additional funds for instream flow work for the Watershed Planning Implementing Body to use to complete instream flow studies in the collaborative manner described in RCW 90.82.080 during Phase IV Watershed Planning.</p>	State SEPA, Study, (WP 26)
<p>3. The Watershed Planning Implementing Body will pursue funding to supplement implementation funds and will conduct instream flow studies in WRIA 62 at locations prioritized by the Watershed Planning Implementing Body with technical assistance from agencies (e.g., Ecology, WDFW) and qualified consultants.</p>	State SEPA, Study, (WP 26)
<p>4. Recommend that Ecology to involve the Implementing Body with scoping instream flow studies if Ecology starts instream flow work in WRIA 62 during Phase IV Watershed Planning. If Ecology starts instream flow work in WRIA 62 after Phase IV, recommend that Ecology involve the WRIA 62 watershed planning entity if it is still in place.</p>	State SEPA, Study, (WP 26)

5. After minimum instream flow rule making for the Pend Oreille River mainstem, the Watershed Planning Unit recommends that Ecology consider petitioning the Washington State Governor to write a letter to Congress to raise the minimum discharge from Albeni Falls Dam from 4,000 cfs to be equivalent to the minimum instream flow rule.	State SEPA, Collaboration
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QUANT-3: Flood control.

Management Action	SEPA Analysis
1. The Watershed Planning Implementing Body will voice concerns regarding the impacts of flooding in Pend Oreille County and work with groups that influence the Pend Oreille River flow rates and water levels. These groups may include but are not limited to the Army Corps of Engineers, Northwest Power and Conservation Council, Bonneville Power Administration, Bureau of Reclamation, Seattle City Light, Pend Oreille Public Utility District, North Idaho Lakes Commission, Washington Department of Fish and Wildlife, Idaho Fish & Game, Pend Oreille County Diking Districts Nos. 1, 2 and 3 and the Federal Emergency Management Agency (FEMA)..	Collaboration, Public Education
2. The Watershed Planning Implementing Body will voice concerns regarding the impacts of flooding in Pend Oreille County to Washington's representative on the Technical Management Team (TMT) that addresses Columbia River dam and reservoir operations.	Collaboration, Public Education
3. Watershed Planning Implementing Body will identify what changes to project operations could be implemented to improve conditions regarding flooding in Pend Oreille County.	Collaboration, Study

QUANT-4: There is a need to promote water conservation, reclamation and reuse strategies in WRIA 62.

Management Action	SEPA Analysis
1. Watershed Planning Implementing Body will create a sub-committee to support on-going efforts and coordinate future water conservation, reclamation and reuse efforts in WRIA 62.	Collaboration, Public Education, (WP 1, 2, 3, 4, 5)
2. Watershed Planning Implementing Body will identify and write grants to support development of water conservation, reclamation and reuse strategies that are relevant to WRIA 62 (including water conservation, reclamation and reuse strategies applicable to municipal / domestic water use, commercial and industrial water use and agricultural water use).	Funding, (WP 1,2,3,4,5)
3. Watershed Planning Implementing Body will identify and write grants to support development, presentation and distribution of public education materials to promote water conservation, reclamation and reuse strategies that are relevant to WRIA 62.	Funding, Public Education, (WP 1)
4. The Pend Oreille Public Utility District No. 1 and Pend Oreille Conservation District will send information to the WRIA 62 residents to arrive at the beginning of July every year reminding people to conserve water over the drier summer months.	Public Education, WP 1, WP 2.
5. The Pend Oreille Public Utility District, Pend Oreille Conservation District and City of Newport will place notices in local papers, newsletters and/or on the radio reminding people to conserve water over the summer.	Public Education, WP 1

TABLE 7-2**SEPA Analysis for Water Quality Actions**

WQUAL-1: There is a need to develop a protocol to coordinate and ensure that WRIA 62 water quality data is provided for input into the JSAP database.

Management Action	SEPA Analysis
1. The Watershed Planning Unit recommends that the Kalispel Tribe enter WRIA 62 water quality data into the Joint Stock Assessment Program (JSAP) database. The Watershed Planning Unit also recommends that the Kalispel Tribe maintain the JSAP database and for ensure that the data is available via the internet.	Collaboration, Study
2. The Watershed Planning Implementing Body will identify committed entities to submit water quality monitoring data on a regular basis to the Kalispel Tribe for incorporation into the JSAP database.	Collaboration
3. The Watershed Planning Implementing Body will define a WRIA 62 monitoring and reporting protocol and will coordinate data to be submitted to the Kalispel Tribe for incorporation into the JSAP database.	Collaboration, Study
4. The Watershed Planning Implementing Body will keep up to date with water quality monitoring and protection activities within WRIA 62.	Collaboration

WQUAL-2: Eurasian watermilfoil and other aquatic nuisance weeds pose a threat to native habitat and public safety in the Pend Oreille watershed.

Management Action	SEPA Analysis
1. With Pend Oreille County Weed Board as the lead agency, convene an aquatic plant management group and include members of the Watershed Planning Implementing Body who wish to be involved. This aquatic plant management group will identify and agree upon actions to reduce Eurasian watermilfoil and other aquatic nuisance weeds in WRIA 62. Contingent upon available funding, implementation of these actions and effectiveness monitoring will be supported by the Implementing Body during Phase IV of Watershed Planning. Support by the Implementing Body could include the use of implementation funds, grant monies or other outside funds.	Collaboration
2. The Watershed Planning Unit recommends that the Pend Oreille County Weed Board establish and implement an aquatic nuisance weed public outreach and education program. The following action, which is included in the Interim Integrated	WP 36, Continue Existing, Public Education

Aquatic Plant Management Plan (Pend Oreille County, 2003), has been identified by the WPU to be implemented by the Pend Oreille County Weed Board:

- a. Prepare and distribute public education materials (e.g., signs, leaflets, fliers) to educate residents and visitors on how they can prevent the spread of aquatic invasive plants. Review available public outreach and education materials available from Ecology and create new materials where needed. Education will focus on prevention and management.

The following action, which is included in the Interim Integrated Aquatic Plant Management Plan (Pend Oreille County, 2003), has been identified by the WPU to be implemented by the Pend Oreille County Public Works Department:

- b. Establish a program/schedule for replacing signs at boat ramps to educate the public on the need to clean aquatic vegetation from water craft.

The following actions, which are not included in the Interim Integrated Aquatic Plant Management Plan (Pend Oreille County, 2003), have been identified by the WPU to be implemented by the Pend Oreille County Weed Board:

- c. Recommend that Pend Oreille County establish a “Milfoil Day” or other annual public event to increase awareness on prevention and management of milfoil and other aquatic nuisance weeds.
- d. Develop methods to educate river users who may not be local residents or property owners.
- e. Increase education at the County Fair by participation of agencies with fair booths including Pend Oreille Public Utility District, Pend Oreille Conservation District and Kalispel Tribe.

WQUAL-3a: There is a need to participate in current and future TMDL processes and provide input on TMDLs for tributary streams that originate within WRIA 62.

Management Action	SEPA Analysis
1. Watershed planning Implementing Body will participate (interact, provide input to and coordinate with Ecology) in TMDL processes on tributary streams within WRIA 62.	Collaboration, (WP 32)
2. Watershed planning Implementing Body will pursue funding for implementation strategies that come out of TMDL studies on tributary streams in WRIA 62.	Funding, (WP 32)

WQUAL-3b: There is a need to participate in the TMDL processes and provide input on TMDLs for the mainstem Pend Oreille River.

Management Action	SEPA Analysis
1. Watershed Planning Implementing Body will provide input to 303(d) listings in applicable waters of Washington, the Kalispel Tribe reservation and, where appropriate, Idaho.	Early Planning Stages, Collaboration, (WP 32)
2. Watershed planning Implementing Body to coordinate with agencies and stakeholders to participate and provide input to TMDL development and implementation for Pend Oreille River in Washington, the Kalispel Tribe reservation and, where appropriate, Idaho.	Early Planning Stages, Collaboration (WP 32, WP 33)
3. The Watershed Planning Unit strongly recommends that Ecology invite the Idaho Department of Environmental Quality to develop a Memorandum of Understanding to address development and implementation of TMDLs for the Pend Oreille River in Washington and Idaho.	Collaboration

WQUAL-4a: The natural quality of drinking water provided to some communities does not meet Washington State secondary drinking water standards.

Management Action	SEPA Analysis
<p>1. Watershed planning Implementing Body will communicate with WDOH to identify the water systems / communities in WRIA 62 that require assistance to improve drinking water quality. The Watershed Planning Implementing Body acknowledges that WDOH has expended effort and funds within WRIA 62 to improve the quality of water supplied to communities where needed. The intent of this strategy is to support WDOH's on-going efforts through the following actions (as appropriate):</p> <ul style="list-style-type: none"> • Purveyor education; • Well and water distribution system maintenance; • Water treatment; and, • Development of alternative sources. <p>The Watershed Planning Implementing Body will identify funding and technical assistance through WDOH to support these actions.</p>	<p>Public Education, Study, Funding, Coordination, Early Planning Stages</p>
<p>2. The Watershed Planning Unit encourages WDOH to communicate with the Watershed Planning Implementing Body with respect to education and funding opportunities to assist water systems / communities in WRIA 62 that require assistance to improve drinking water quality.</p>	<p>Public Education, Study, Funding, Coordination.</p>

WQUAL-4b: There is a need to review wellhead protection plans throughout WRIA 62 and improve these plans as needed.

Management Action	SEPA Analysis
<p>1. The Watershed Planning Unit recommends that the Implementing Body support the Northeast Tri-County Health District and the WDOH to conduct sanitary surveys of Group A and B water systems in WRIA 62.</p>	<p>Collaboration, Continue Existing, Study</p>
<p>2. The Watershed Planning Unit recommends that Pend Oreille County consider including Group A and Group B Public Water System wellheads in Critical Areas Ordinance in future updates of the Comprehensive Plan and Critical Areas Ordinance. The Watershed Planning Implementing Body will assist Pend Oreille County as appropriate to include wellheads in Critical Areas Ordinance.</p>	<p>WP 40, Other SEPA</p>

<p>3. The Watershed Planning Implementing Body will coordinate with WDOH and the Northeast Tri-County Health District to identify water systems that have not developed and/or are not adequately implementing a wellhead protection plan. The Watershed Planning Implementing Body will communicate with the operators of these systems and encourage them to obtain educational materials and technical assistance from water resource groups and agencies (e.g., Evergreen Rural Water, Washington Environmental Training Center (WETRC), WDOH, Northeast Tri-County Health District) to develop and/or implement wellhead protection plans.</p>	Continue existing, Public Education
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WQUAL-5: The 303(d) list identifies impaired waterbodies and requires Washington State to work towards clean up of impaired waterbodies and establishing TMDLs. However there is a need to identify an appropriate process to protect unimpaired waters in WRIA 62 that meet or exceed applicable water quality standards.

Management Action	SEPA Analysis
<p>1. The Watershed Planning Implementing Body will review Ecology's current water quality assessment and identify waterbodies within WRIA 62 to implement projects as appropriate and coordinated with other efforts, including:</p> <ul style="list-style-type: none"> • Projects that review and collect water quality data on WRIA 62 streams where data is lacking or needed; • Projects that identify and assess point and non-point sources of impairments, develop and implement restoration / mitigation plans and monitor effectiveness of efforts; and, • Projects that protect unimpaired / healthy streams. 	Collaboration, Early Planning Stages, may be Other SEPA on some projects.
<p>2. The Watershed Planning Implementing Body will provide support and seek funding for projects that promote the protection of unimpaired and improvement of impaired waterbodies, including:</p> <ul style="list-style-type: none"> • Projects that review and collect water quality data on WRIA 62 streams where data is lacking or needed; • Projects that identify and assess point and non-point sources of impairments, develop and implement restoration / mitigation plans and monitor effectiveness of efforts; and, • Projects that protect unimpaired / healthy streams through cooperative and existing regulatory means to support projects (types listed.). 	WP 37, Funding
<p>3. The Watershed Planning Implementing Body will identify support and funding to continue operation of pressure transducers and field water quality monitoring within Calispell, Davis, Skookum and Kent sub-basins (that was started in Phase II). The Kalispel Tribe will take on the responsibility of maintaining and downloading the flow information in the Calispell, Davis Skookum and Kent sub-basins.</p>	Continue existing, Collaboration, Funding

<p>4. The Watershed Planning Unit recommends that the Implementing Body implement the water quality monitoring plan developed in the Phase II Level 2 report. The recommendations of this plan are:</p> <ol style="list-style-type: none">1. Coordinated TMDL development and implementation in WA and ID;2. Conduct biological and baseline monitoring in WRIA 62 sub-basins that drain from WA into ID;3. Conduct temperature studies on the Pend Oreille River between Box Canyon and Canada;4. Develop water quality datasets that are comparable between WRIA 62 waterbodies;5. Conduct water quality monitoring in sub-basins where population growth is predicted;6. Develop and implement a stormwater program for urban areas;7. Recommend that Ecology upgrade the Metaline Falls monitoring site to a core monitoring location;8. Increase the use of coordinated and comparable biological monitoring;9. Require the use of water quality monitoring plans, QAPPs and comparable protocols;10. Develop a WRIA 62 data management system; and,11. Install freeze protection on automated equipment in WRIA 62 tributaries.	WP 35, WP 37, Study
<p>5. Recommend that Pend Oreille County Planning consider any ordinances that may help reduce the impacts of population growth on water quality.</p>	WP 38, Other SEPA

TABLE 7-3
SEPA Analysis for Habitat Actions

H-1: There is a need to continue coordination of aquatic habitat programs within WRIA 62.

Management Action	SEPA Analysis
1. The Watershed Planning Implementing Body will coordinate with the Pend Oreille Salmonid Recovery Team and other habitat programs per RCW 90.82.100.	(WP 42, 46, 47, 48, 45, 51, 52, 53, 55, 56), Collaboration,

H-2: Invasion of noxious terrestrial weeds has the potential to degrade water quality by increasing water yield runoff and preventing the establishment of native vegetation.

Management Action	SEPA Analysis
1. Pend Oreille County Weed Board will develop and distribute public education materials (e.g., signs, leaflets, fliers, BMPs) to educate residents, developers and construction workers on how they can prevent the spread of noxious terrestrial weeds.	WP 36, Public Education
2. Pend Oreille County Weed Board will coordinate with interested landowners and managers to survey lands on a regular basis (at 4-year intervals) and use management tools (shovel, pulaski, backpack sprayer with herbicide) to remove small amounts of noxious weeds found at the time of the surveys.	WP 36, Public Education
3. Pend Oreille County Weed Board will develop management implementation plans (including prioritization of lands) with interested landowners for larger noxious weed populations.	WP 36, Public Education
4. The Watershed Planning Implementing Body will assist the Pend Oreille County Weed Board to identify support (funding, in-kind and volunteer services) to help with implementation of the Pend Oreille County biocontrol program.	WP 36, Public Education

H-3a: River bank erosion along the mainstem of the Pend Oreille River is resulting in degraded riparian habitat and water quality. The causes of erosion need to be confirmed and mitigated.

Management Action	SEPA Analysis
1. The Watershed Planning Implementing Body will develop a scope of work for a technical study to identify the causes of river bank erosion along the Pend Oreille River in WRIA 62. The study will include review and prioritization of areas where there is more interest / concern and will identify mitigation / stabilization alternatives.	WP 37, Study, Other SEPA
2. The Watershed Planning Implementing Body will develop and implement a public education program to improve public understanding of bank erosion along the mainstem of the Pend Oreille River.	WP 36, Public Education

3. The Watershed Planning Implementing Body will compile reasonable bank stabilization strategies for landowners along the mainstem of the Pend Oreille River and provide education and assistance to landowners to implement these strategies (current NRCS specifications for bank stabilization are overwhelming to most landowners).	Public Education, Study
4. The Watershed Planning Implementing Body will review shoreline plans and comprehensive plans for bank erosion mitigation strategies and will make recommendations to local government on bank stabilization strategies for inclusion within the Shoreline Master Programs and the Pend Oreille County Comprehensive Plan.	WP 38, WP 39, Study, Other SEPA

H-3b: Stream bank erosion in WRIA 62 along the tributaries to the Pend Oreille River is resulting in degraded riparian habitat and water quality. The causes of stream bank erosion need to be confirmed and mitigated.

Management Action	SEPA Analysis
1. The Watershed Planning Implementing Body will develop a scope of work for a technical study to identify the causes of stream bank erosion along the tributaries to the Pend Oreille River in WRIA 62. The study will include review of prioritization of areas where there is more interest / concern and will identify mitigation / stabilization alternatives.	WP 37, Study
2. The Watershed Planning Implementing Body will develop and implement a public education program to improve public understanding of bank erosion along the tributaries to the Pend Oreille River.	Public Education, WP 36
3. The Watershed Planning Implementing Body will compile reasonable stream bank stabilization strategies for landowners along the tributaries to the Pend Oreille River and provide education and assistance to landowners to implement these strategies (current NRCS specifications for bank stabilization are overwhelming to most landowners).	Public Education, Study
4. The Watershed Planning Implementing Body will review shoreline plans and comprehensive plans for stream bank erosion mitigation strategies and will make recommendations to local government on stream bank stabilization strategies for inclusion within the Shoreline Master Programs and the Pend Oreille County Comprehensive Plan.	WP 38, WP 39, Other SEPA

TABLE 7-4
SEPA Analysis for Water Rights Actions

WR-1: There is currently limited opportunity for the local community to provide recommendations to the Department of Ecology in the processing of water rights transfers, changes, applications and relinquishments.

Management Action	SEPA Analysis
1. The Watershed Planning Implementing Body will: a. Coordinate with WRIA 55 (the Little Spokane River watershed); and, b. Evaluate the future need for a regional Spokane / Pend Oreille County Water Conservancy Board and/or Water Trust / Bank.	Coordination, Study, (WP 7, WP 8)
2. The Watershed Planning Unit recommends that the Legislature allocate funds to provide financial incentives to those who wish to relinquish unused allocated water.	State SEPA.
3. The Watershed Planning Implementing Body will evaluate the need to recommend to the Legislature a change in the “use-it or lose-it” time frame (Chapter 90.14 RCW) for water rights from 5 years to 20 years. This would involve a statute change to Chapter 90.14 RCW.	Study
The Watershed Planning Unit recommends that the Legislature allow the unused portions of irrigation water rights to be banked. This would be a conservation incentive. This would involve a statute change in Chapter 90.14 RCW.	State SEPA.

WR-2: When future minimum instream flows are established, any new water rights that are junior to the minimum instream flows may be restricted when minimum instream flows are not met. There is a need to quantify water available for future allocation and/or reservation.

Management Action	SEPA Analysis
1. The Watershed Planning Implementing Body to explore the concept of a water reservation for future growth (including domestic exempt well use, irrigation, industrial, commercial and municipal water use) in the WRIA 62 sub-basins that are expected to experience the highest population growth (Calispell, Davis, Skookum, Kent and McCloud) and where other water resources may not be available (i.e. outside water purveyor service areas).	Study, (Other SEPA)
2. The Watershed Planning Unit recommends that the Legislature provide for in-house domestic and normal stock water withdrawal from domestic exempt wells (withdrawal less than 5,000 gallons per day as defined in RCW 90.44.050) when water use is restricted as a result of instream flow regulation.	State SEPA

TABLE 7-5**SEPA Analysis for Growth and Land Use Actions**

GR&LU-1: There is a need to information on current and projected water supply and demand with land use.

Management Action	SEPA Analysis
1. The Watershed Planning Unit recommends that a representative of the Watershed Planning Implementing Body be involved with the County Planning Commission and County comprehensive planning processes.	Other SEPA
2. The Watershed Planning Implementing Body will assess available water supply in the areas expected to experience the most population growth (i.e. the Calispell, Davis, Skookum, Kent and McCloud sub-basins). Note that improved understanding of streamflows in WRIA 62 is needed to determine water availability within these sub-basins.	Other SEPA, Study
3. The Watershed Planning Unit recommends that the Watershed Planning Implementing Body assist Pend Oreille County in addressing Critical Areas ordinance and updating the shorelines master program.	Other SEPA WP 38, WP 40
4. The Watershed Planning Unit recommends that findings from the Phase II technical assessments and water needs assessment (see GR&LU 1-2 above) are integrated into local water system plans and county, city and town land use plans.	Other SEPA WP 38, WP 40
5. The Watershed Planning Unit recommends that Pend Oreille County consider water supply information when updating land use designations to ensure consistency between the Comprehensive Plan land use designations and the WRIA 62 Watershed Management Plan technical findings and recommendations.	Other SEPA
6. The Watershed Planning Unit recommends that Pend Oreille County require proof of water availability from the applicant prior to amending Urban Growth Area (UGA) boundaries. The proposal for expansion should include documentation of the ability of the city / town / development (if it is to be self-served) to provide adequate water. Burden of proof is on the applicant. Domestic wells of 5,000 gallons per day or less serving one household are not included in this burden of proof.	Other SEPA
7. The Watershed Planning Implementing Body will coordinate sub-basin specific needs with alternative water supply options including reuse, reclamation, and conservation (e.g., development of a regional water supply using water withdrawn from the Pend Oreille River and treated).	Other SEPA

GR&LU-2a: There is a need to identify and assess locations and associated management practices of livestock operations that utilize riparian areas.

Management Action	SEPA Analysis
1. The Pend Oreille Conservation District will coordinate with local land management agencies, agricultural groups, landowners, etc., to identify individuals or groups that utilize riparian areas for livestock operations.	Study
2. The Watershed Planning Implementing Body will pursue funding to conduct research to identify and assess livestock management methods in riparian areas utilized for livestock operations.	Study, Funding
3. The Watershed Planning Implementing Body will support utilizing GIS to develop map layers which include livestock ownerships, locations and management methods within riparian areas.	Study, Funding
4. The Pend Oreille Conservation District and NRCS will prepare an action plan. All entities involved with grazing in riparian areas should be involved with development of this action plan.	WP 47, Early Planning Stages, Collaboration

GR&LU-2b: There is a continued need for funding of education and program implementation related to livestock management in riparian areas.

Management Action	SEPA Analysis
1. The Pend Oreille Conservation District and NRCS will develop and distribute outreach and educational materials.	WP 36, Public Education
2. The Pend Oreille Conservation District and NRCS will promote and assist landowners in applying for cost-share programs such as the WDFW Landowner Incentive Program (LIP), NRCS Environmental Quality Incentive Program (EQUIP), NRCS Wildlife Habitat Incentive Program (WHIP), NRCS Wetland Reserve Program (WRP), USDA Sustainable Agriculture Research and Education (SARE) Program Producer Grant Program, USFWS Partners for Fish and Wildlife and Private Stewardship Grants, USDA Farm Service Administration Conservation Reserve Program (CRP), Ecology's 319 funds (for non-point source water quality issues), and other relevant cost share programs available for livestock management in riparian areas.	WP 36, Funding
3. The Pend Oreille Conservation District and NRCS will promote land management technical assistance programs such as the NRCS Conservation of Private Grazing Land Program and the Grazing Lands Conservation Initiative, as well as technical assistance through the USFWS, USFS, WDFW, KNRD, BLM and Pend Oreille Conservation District.	WP 36
4. The Pend Oreille Conservation District and NRCS will coordinate with the Pend Oreille Salmonid Recovery Team (Chapter 77.85	Collaboration, WP

RCW) on education grants to educate private landowners on the benefits of livestock management in riparian areas and grants available to fund related projects.	36
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GR&LU-3: Road building and improper maintenance can negatively impact water quality and aquatic habitat.

Management Action	SEPA Analysis
<p>1. The Watershed Planning Implementing Body will support on-going and future programs and/or multiple entity projects on lands in WRIA 62 to identify and address road maintenance problems. Supported strategies may include but are not limited to:</p> <ul style="list-style-type: none"> • Identification of road segments near water supply wells that have the potential to impact the quality of water supplied by the wells; • Erosion control for existing and planned road segments; • Culvert replacement / improvements; • Relocating / removing / reconstructing road segments out of riparian areas; and, • Education at all levels (public and government). <p>Support may be in the form of watershed planning implementation funds, in-kind services and support of applications for funding from other entities. The Watershed Planning Implementing Body will assist the entity conducting the work to communicate information on problems areas to the appropriate agencies (e.g., Pend Oreille County, WDOT, Ecology, WDFW, WDOH and the Northeast Tri-County Health Department).</p>	WP 42, WP 45, Collaboration, Continue Existing
<p>2. Watershed planning Implementing Body will research and follow the pilot study that Ecology is working on with WDOT and WDFW, currently referred to as the Transportation Permit Efficiency and Accountability Committee (TPEAC). If this approach appears appropriate, work with Ecology to apply this process to State and County roads in WRIA 62.</p>	Collaboration
<p>3. The Watershed Planning Unit requests assistance and guidance as needed from technical agencies (Ecology, WDOT, DNR, WDFW, Pend Oreille County) to minimize impacts of road building and improper maintenance in WRIA 62. This technical assistance may include but is not limited to: 1) public education; and 2) on-the-ground assistance as needed locally.</p>	Collaboration, Public Education
<p>4. The Watershed Planning Unit recommends that Ecology to provide additional on-the-ground support to ensure BMPs (for road building and maintenance) are being implemented in WRIA 62 for projects less than 5 acres (including use of BMPs for decontamination of heavy equipment and use of clean fill to minimize invasion of</p>	Other SEPA

noxious weeds as per issue H-2). This would involve Ecology staff involvement at the planning and implementation stages of a road building / maintenance project.	
5. The Watershed Planning Implementing Body will become involved in revisions to the Colville National Forest Plan.	Collaboration

GR&LU-4: The Pend Oreille County Shoreline Master Program needs to be updated.

Management Action	SEPA Analysis
1. The Watershed Planning Unit recommends that Pend Oreille County, with assistance from the Watershed Planning Implementing Body, apply for funding from Ecology and other outside funding sources to update the Pend Oreille County Shoreline Master Program prior to the 2012 Ecology deadline.	WP 39, Funding, (Other SEPA)

TABLE 7-6**SEPA Analysis for Economic Impacts and Community Involvement Actions**

EC-1a: There are insufficient resources to support the implementation of all the actions in this plan.

Management Action	SEPA Analysis
1. The Watershed Planning Implementing Body will employ a grant writer to help obtain additional funds for implementation of watershed planning recommendations.	Funding
2. The Watershed Planning Unit recommends that the Legislature provide additional funds to be used in Phase IV of Watershed Planning to help finance proposed actions.	Funding
3. The Watershed Planning Implementing Body will encourage local agencies and volunteer services to finance the 10% match required for use of implementation funds.	Funding
4. The Watershed Planning Unit recommends that the Legislature modify Chapter 90.82 RCW to make supplemental funds (available in Phase II for water quality, storage and instream flow) available in Phase IV implementation for water quality, storage and instream flow studies.	Funding

EC-1b: There is a need to identify and inform local communities about resources to assist local communities in complying with water regulation.

Management Action	SEPA Analysis
1. The Watershed Planning Implementing Body will identify or develop relevant water-related laws and regulations and will develop outreach materials and an outreach mechanism to educate members of the public on how to effectively comply with water-related laws and regulations.	Public Education
2. The Watershed planning Implementing Body will convene a sub-committee as needed to: <ol style="list-style-type: none"> Identify state rules that the WRIA 62 communities could be exempt from due to size and limited economic resources; and, Develop specific requests for the regulatory authorities to supply economic impact information for distribution to local communities. 	Collaboration, Study
3. The Watershed Planning Unit encourages WRIA 62 agencies to use local resources where applicable.	Collaboration, Early Planning Stages

EC-2: There is a need to ensure meaningful community input into water regulations.

Management Action	SEPA Analysis
1. The Watershed Planning Implementing Body will develop and keep up-to-date a list of processes where local input is required, encouraged or allowed. The Watershed Planning Implementing Body will provide this information to WRIA 62 residents (e.g., a regular “What’s Coming” column in the local paper).	Public Education
2. The Watershed Planning Implementing Body will develop and implement mechanisms into improve local input to water related law, policy and regulations (i.e., educate the public about the various processes that include public input and develop specific actions to improve public participation).	Collaboration, Public Education

TABLE 7-7
SEPA Analysis for Implementation Actions

Implementation problem statements:

- 1. Management entities, roles and action plans are not coordinated.**
- 2. Education needs to support watershed management objectives are unknown.**
- 3. Funding opportunities to support watershed management objectives are unknown.**
- 4. There is no formal mechanism to modify and update the Phase III Plan**
- 5. The Legislature currently prohibits spending of supplemental assessment funds during implementation.**

Management Action	SEPA Analysis
1. Designate a locally based Implementing Body to coordinate implementation of the watershed management plan consistent with Chapter 90.82 RCW.	Collaboration
2. Prioritize educational needs, projects, policies and management strategies for funding and implementation.	Early Planning Stages
3. Continue to identify alternate funding sources (alternate to watershed planning funds).	Funding
4. Request that the State Legislature allow Supplemental Phase II Watershed Planning funds to be applied for and spent during Phase IV implementation.	Funding
5. Consider implementation funding for grant writers.	Funding
6. Develop recommendations (such as cooperative agreements) for formalizing obligations on the entities identified as responsible for Plan actions.	Collaboration
7. Develop formal mechanism to update and modify the Phase III Plan without having to go through a formal County hearing.	Other SEPA (Non-project)

7.4 Summary

This chapter (Chapter 7) of the Pend Oreille River Watershed (WRIA 62) Management Plan (Plan) provides documentation of compliance of the WRIA 62 Plan with statewide programmatic SEPA requirements. This chapter (Chapter 7) is to be attached to the Determination of Significance filed for the Plan adoption action by Pend Oreille County and provides local information relevant to the WRIA 62 Plan that is not explicitly included in the statewide programmatic Watershed Planning EIS (Ecology, 2003d).

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TABLES

(Not included within the text)

FIGURES

APPENDICES